



# Journal of the Senate

Number 14—Regular Session

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## CALL TO ORDER

The Senate was called to order by President McKay at 9:45 a.m. A quorum present—39:

Mr. President	Dawson	Laurent	Sanderson
Bronson	Diaz de la Portilla	Lawson	Saunders
Brown-Waite	Dyer	Lee	Sebesta
Burt	Garcia	Meek	Silver
Campbell	Geller	Miller	Smith
Carlton	Holzendorf	Mitchell	Sullivan
Clary	Jones	Peaden	Villalobos
Constantine	King	Posey	Wasserman Schultz
Cowin	Klein	Pruitt	Webster
Crist	Latvala	Rossin	

Excused: Senator Horne; Senator Webster from 11:35 a.m. until 12:25 p.m.

## MOMENT OF SILENCE

The President asked that the Senate observe a moment of silence in memory of David Howard Horne, Sr., father of Senator Jim Horne, who passed away early this morning.

## PRAYER

The following prayer was offered by the Rev. James Vaughn, Executive Director, Communities In Schools of the Thomas Area, Thomasville, Georgia:

Shema Yisrael, Adonai, Elohanu Adonai, echod—Hear O Israel, our Lord, our God is one! Eternal and Everlasting Creator, we pause now to ask your blessing upon the members of this august body in their several responsibilities. Give them guiding grace in their offices, in committees and above all, as they meet here in legislative session.

May the Senators never forget that what is said and done is not done in a corner, but always under your ubiquitous presence. May they also feel the weight of their responsibility before you, and remember the influence of a good example, that all who come to this place may have a stronger faith in government of the people, by the people and for the people.

May the Senators so speak and act that all who wait upon them and serve them may be inspired, rather than disillusioned. Lord, make your presence so real to these your servants, that each may feel you sitting beside them.

In this moment of intercession we have asked, in the strong name of Him who said, "My word is a lamp unto your feet and a light unto your path." Shalom.

## PLEDGE

Senate Pages Erin Rowland of Alachua, Jason Wetherington of Fort Lauderdale and Hunter Williams of Coral Springs, led the Senate in the pledge of allegiance to the flag of the United States of America.

## DOCTOR OF THE DAY

The President recognized Dr. Howard Rogers of Gainesville, sponsored by Senators Cowin and Smith, as doctor of the day. Dr. Rogers specializes in Pediatrics.

## INTRODUCTION OF FORMER SENATOR

The President introduced former Senator Bob Johnson who was present in the chamber.

## SPECIAL GUESTS

The President introduced the following representatives of the National Conference of State Legislatures who were present in the chamber: New York Senator Stephen Saland, President-Elect, and Brenda Erickson, Program Principal, Legislative Management Program.

## ADOPTION OF RESOLUTIONS

On motion by Senator Sanderson—

By Senators Sanderson and Miller—

**SR 1396**—A resolution recognizing Breast Cancer Awareness Month.

WHEREAS, breast cancer is the most common cancer diagnosed in women in the nation, and

WHEREAS, Florida ranks third in the nation for total number of new cases and deaths from breast cancer, and

WHEREAS, all women are at risk for breast cancer and the single most important risk factor is age, and

WHEREAS, the highest number of breast cancer cases in Florida is mainly due to the concentration of older women in the state, and

WHEREAS, 64 percent of all breast cancers occur in women age 60 and older, and

WHEREAS, the American Cancer Society estimates that there will be 12,500 new cases of invasive breast cancer in Florida in the year 2001, and

WHEREAS, the American Cancer Society reported that 11, 844 women in Florida were diagnosed with breast cancer in 1999, and

WHEREAS, every 3 hours, one woman in Florida dies of breast cancer, and a total of 2,600 will die from breast cancer in the year 2001, and

WHEREAS, breast cancer is the second most common cause of cancer death in white women but the leading cause of cancer death among African-American women, and

WHEREAS, early detection through routine clinical and mammography screening beginning at age 40 in compliance with the American Cancer Society recommended breast cancer screening guidelines is the key to improving survival rates for breast cancer, and

WHEREAS, almost 1 million women over the age of 40 living in Florida have never had a mammogram, and

WHEREAS, breast-cancer awareness programs, such as the American Cancer Society's Tell-A-Friend-Tuesday program, will promote early detection through regular screening in conjunction with the promotion of October as Breast Cancer Awareness Month, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Florida Senate recognizes the month of October as Breast Cancer Awareness Month in Florida and urges all women to understand the risks associated with breast cancer, to take preventive steps to minimize those risks, and to undergo early detection procedures, such as mammography and compliance with the recommended breast cancer screening guidelines.

—was introduced out of order and read by title. On motion by Senator Sanderson, **SR 1396** was read the second time in full and adopted. The vote on adoption was:

Yeas—38

Mr. President	Dawson	Lawson	Saunders
Bronson	Diaz de la Portilla	Lee	Sebesta
Brown-Waite	Dyer	Meek	Silver
Burt	Garcia	Miller	Smith
Campbell	Geller	Mitchell	Sullivan
Carlton	Holzendorf	Peaden	Villalobos
Clary	Jones	Posey	Wasserman Schultz
Constantine	King	Pruitt	Webster
Cowin	Klein	Rossin	
Crist	Laurent	Sanderson	

Nays—None

#### CO-SPONSORS

On motion by Senator Sanderson, all Senators, not previously shown as co-sponsors, were recorded as co-sponsors of **SR 1396**.

At the request of Senator Miller—

By Senator Miller—

**SR 2180**—A resolution recognizing June 2001 as Prostate Cancer Awareness Month.

WHEREAS, prostate cancer is the most common type of cancer among men in the United States and in Florida, and the second leading cause of cancer death among men, and

WHEREAS, more than 180,000 men in the United States are diagnosed with prostate cancer each year, and approximately 14,000 of them are residents of Florida, and

WHEREAS, over 41,000 men in the United States die each year from prostate cancer, and approximately 2,400 of them are residents of Florida, and

WHEREAS, men who are members of a racial minority have a 50 percent higher risk of being diagnosed with prostate cancer and are more than twice as likely to die from the disease, and

WHEREAS, Florida has the second-highest number of prostate cancer cases and deaths in the United States, and

WHEREAS, June is a month in which we commemorate men by the observance of Father's Day and of National Men's Health Week, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Florida Senate recognizes June 2001 as Prostate Cancer Awareness Month in Florida and urges all men, and particularly members of high-risk populations, to become aware of the risks and symptoms associated with prostate cancer and to be informed about screening tests, methods for early detection, and treatment.

—**SR 2180** was introduced, read and adopted by publication.

#### MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Lee, by two-thirds vote **CS for SB 1116**, **CS for SB 1118** and **CS for SB 1122** were withdrawn from the Committee on Rules and Calendar.

On motion by Senator Lee, by two-thirds vote **HB 1727** was withdrawn from the Committees on Children and Families; Governmental Oversight and Productivity; Appropriations Subcommittee on Health and Human Services; and Appropriations; and referred to the Committees on Health, Aging and Long-Term Care; Governmental Oversight and Productivity; Appropriations Subcommittee on Health and Human Services; and Appropriations; **SB 466** was withdrawn from the Committee on Appropriations Subcommittee on General Government; **CS for SB 1202** was withdrawn from the Committee on Appropriations Subcommittee on Health and Human Services; and **SB 978** was withdrawn from the Committees on Natural Resources; Transportation; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar; and referred to the Committees on Transportation; Natural Resources; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

On motion by Senator Lee, by two-thirds vote **SB 122**, **SB 226**, **CS for SB 322**, **CS for SB 388**, **SB 514**, **SB 518**, **SB 540** and **SB 1198** were withdrawn from the Committees on Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations; **CS for SB 200**, **SB 1166**, **CS for SB 1850**, **CS for SB 1852** and **CS for SB 2042** were withdrawn from the Committees on Appropriations Subcommittee on General Government; and Appropriations; **SB 666** and **SB 672** were withdrawn from the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations; **SB 1644** and **CS for SB 1704** were withdrawn from the Committees on Appropriations Subcommittee on Education; and Appropriations; and **SB 1036** and **SJR 1426** were withdrawn from the Committee on Rules and Calendar.

On motion by Senator Lee, by two-thirds vote **CS for CS for SB 268** which has been reported favorably by the Appropriations Subcommittee on Public Safety and Judiciary with committee substitute, was withdrawn from the Committee on Appropriations and the committee substitute recommended by the subcommittee will be shown as offered by the Committee on Appropriations; **CS for CS for SB 400** and **SB 1190** which have been reported favorably by the Appropriations Subcommittee on Education with committee substitutes, were withdrawn from the Committee on Appropriations and the committee substitutes recommended by the subcommittee will be shown as offered by the Committee on Appropriations; and **SB 1596** which has been reported favorably by Appropriations Subcommittee on Education was withdrawn from the Committee on Appropriations.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable John M. McKay, President

I am directed to inform the Senate that the House of Representatives has passed SB 2000, with amendment(s), and requests the concurrence of the Senate or, failing to concur, requests the Senate to appoint a committee of conference to meet with a like committee appointed by the Speaker to resolve the differences between the houses.

John B. Phelps, Clerk

**SB 2000**—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2001, and ending June 30, 2002, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

Pursuant to Rule 7.6, **House Amendment 1** constituted an entirely new bill and was not published in the Journal.

On motion by Senator Lee, the Senate refused to concur in the House amendment to **SB 2000** and acceded to the request for a conference committee. The action of the Senate was certified to the House.

The Honorable John M. McKay, President

I am directed to inform the Senate that the House of Representatives has passed SB 2002, with amendment(s), and requests the concurrence of the Senate or, failing to concur, requests the Senate to appoint a committee of conference to meet with a like committee appointed by the Speaker to resolve the differences between the houses.

*John B. Phelps, Clerk*

**SB 2002**—A bill to be entitled An act implementing the 2001-2002 General Appropriations Act; providing legislative intent; providing for allocation of moneys provided for workforce development and providing for budget amendment when a program is moved; requiring the Agency for Health Care Administration to use a specified disproportionate share formula, specified audited financial data, and a specified Medicaid per diem rate in fiscal year 2001-2002 for qualifying hospitals; amending s. 409.9116, F.S.; providing a formula for rural hospital disproportionate share payments; amending s. 216.181, F.S.; authorizing the Department of Children and Family Services and the Department of Health to advance certain moneys for certain contract services; amending s. 409.905, F.S.; prescribing conditions upon which an adjustment in a hospital's inpatient per diem rate may be based; amending s. 216.177, F.S.; providing notice requirements for the Department of Children and Family Services with respect to transferring portions of district budgets; amending s. 409.915, F.S.; exempting counties from contributing toward the increased cost of hospital inpatient services due to elimination of Medicaid ceilings on certain types of hospitals and for special Medicaid reimbursements to hospitals; revising the level of county participation; prohibiting the Agency for Health Care Administration from adjusting premiums paid to health maintenance organizations or prepaid health care plans due to elimination of Medicaid ceilings on certain types of hospitals and special Medicaid payments to hospitals; amending s. 409.904, F.S.; revising eligibility requirements for certain medical assistance payments; amending s. 409.905, F.S.; prescribing additional limitations that may be placed on hospital inpatient services under Medicaid; amending s. 409.906, F.S.; revising standards for payable intermediate care services; amending s. 409.908, F.S.; revising standards, guidelines, and limitations relating to reimbursement of Medicaid providers; amending s. 409.91195, F.S.; providing for a restricted drug formulary applicable to Medicaid providers; amending s. 409.912, F.S.; prescribing additional services that the Agency for Health Care Administration may provide through competitive bidding; authorizing the agency to establish, and make exceptions to, a restricted drug formulary; amending s. 409.904, F.S.; providing additional limitations on services that may be furnished to medically needy patients; amending s. 409.913, F.S.; requiring the Agency for Health Care Administration to implement a pilot program to prevent Medicaid fraud and abuse with respect to pharmaceuticals; amending s. 409.906, F.S.; providing for reimbursement and use-management reforms with respect to community mental health services; amending s. 409.912, F.S.; authorizing the agency to contract with children's clinic networks for certain purposes; amending s. 409.9122, F.S.; providing for disproportionate assignment of certain Medicaid-eligible children to children's clinic networks; providing for the assignment of certain Medicaid recipients to managed care plans; amending s. 409.904, F.S.; providing for the Agency for Health Care Administration to pay for specified cancer treatment; amending s. 39.3065, F.S.; prescribing responsibility of the Seminole County Sheriff with respect to child protective investigations; amending s. 414.045, F.S.; revising reporting requirements with respect to the cash assistance program; providing legislative intent and directives with respect to community-based care initiatives; requiring the availability of certain funds for the temporary assistance for needy families program; authorizing a transfer of funds between the Department of Children and Family Services and the Department of Juvenile Justice relating to transfer of staff between the departments; amending s. 318.21, F.S.; distributing a portion of the civil penalties paid to the county courts to the state courts system instead of the Department of Children and Family Services for administrative, training, and other costs associated with the implementation and maintenance of Florida foster care citizen review panels; amending s.

925.037, F.S.; providing that the state courts system shall allocate conflict counsel funds among certain counties; amending s. 25.402, F.S.; revising membership of the County Article V Trust Fund advisory committee; revising uses of the fund; amending s. 216.262, F.S.; providing for additional positions to operate additional prison bed capacity under certain circumstances; amending ss. 938.01, 943.25, F.S.; providing for deposit of certain funds for use by the Department of Law Enforcement, rather than the Department of Community Affairs; providing for future reversion to current text; transferring the Criminal Justice Program from the Department of Community Affairs to the Department of Law Enforcement; transferring the Prevention of Domestic and Sexual Violence Program from the Department of Community Affairs to the Department of Children and Family Services; providing matching funds for the administration of such program; directing Enterprise Florida, Inc., to operate sister-city and sister-state programs according to specified standards; authorizing Enterprise Florida, Inc., to contract for the implementation of Florida's international volunteer corps; authorizing the Department of Community Affairs to use specified methods to issue notices of intent; amending s. 287.161, F.S.; requiring the Department of Management Services to charge all persons receiving transportation from the executive aircraft pool a specified rate; providing for deposit and use of such fees; amending s. 259.101, F.S.; requiring appropriations from the Florida Preservation 2000 Trust Fund to the Save Our Everglades Trust Fund for land acquisition; providing for disposition and use of certain moneys accruing to the Florida Forever Trust Fund; amending s. 259.105, F.S.; deleting a restriction on use of moneys allocated under the Florida Forever Act to the South Florida Water Management District; amending s. 403.709, F.S.; providing for use of moneys allocated to the Solid Waste Management Trust Fund; amending s. 403.7095, F.S., relating to the solid waste management grant program; requiring a specified level of funding for counties receiving solid waste management and recycling grants; amending s. 373.59, F.S.; requiring release of certain moneys by the Secretary of Environmental Protection to water management districts, upon request; amending s. 252.373, F.S.; authorizing the use of certain funds to improve local disaster preparedness; amending s. 110.12315, F.S.; providing copayment requirements for the state employees' prescription drug program; providing for a preferred brand name drug list to be used in the administration of such program; amending s. 110.1239, F.S.; providing requirements for the funding of the state group health insurance program; providing for future repeal of various provisions; providing effect of veto of specific appropriation or proviso to which implementing language refers; providing applicability to other legislation; incorporating by reference specified performance measures and standards directly linked to the appropriations made in the 2001-2002 General Appropriations Act, as required by the Government Performance and Accountability Act of 1994; providing severability; providing an effective date.

Pursuant to Rule 7.6, **House Amendment 1** constituted an entirely new bill and was not published in the Journal.

On motion by Senator Lee, the Senate refused to concur in the House amendment to **SB 2002** and acceded to the request for a conference committee. The action of the Senate was certified to the House.

## BILLS ON THIRD READING

**CS for CS for SB 1214**—A bill to be entitled An act relating to foster care; amending s. 20.19, F.S.; modifying the authority for lead agencies to provide services; amending s. 39.521, F.S., relating to disposition hearings; providing that certain children must be assessed for placement and placed in licensed residential group care; requiring results of an assessment to be reviewed by the court; requiring certain residential group care facilities to establish permanency teams; requiring that the Department of Children and Family Services report to the Legislature each year on the number of children placed in residential group care and the number of children for whom placement was unavailable; amending s. 409.1671, F.S.; redefining the term "related services"; providing for a plan to be used as an alternative to procuring foster care services through an eligible lead community-based provider; creating s. 409.1676, F.S.; providing for comprehensive residential services to children who have extraordinary needs; defining terms; providing for the Department of Children and Family Services to contract with specified entities for such services; specifying duties of the contracting entity; providing legal authority of the contracting entity to authorize specified activities for children served; prescribing departmental duties; creating s. 409.1677, F.S.; providing for model comprehensive residential services

programs in specified counties; defining terms; providing for the programs to be established through contracts between the department and specified entities; prescribing the content of each model program; establishing responsibilities of the contracting private entity; providing legal authority of the contracting private entity to authorize certain activities for children served; prescribing departmental duties; creating s. 409.1679, F.S.; prescribing additional requirements for the programs established under ss. 409.1676, 409.1677, F.S., including requirements relating to reimbursement methodology and program evaluation; requiring the department to provide progress reports to the Legislature; amending s. 409.175, F.S.; allowing a family foster home license to be valid for an extended period in specified circumstances; amending s. 784.081, F.S., relating to upgrading the seriousness of the offense if a person commits an assault or a battery against specified officials or employees; including on the list of such officials and employees an employee of a lead community-based provider and its direct-service contract providers; providing an effective date.

—was read the third time by title.

On motion by Senator Peaden, **CS for CS for SB 1214** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dawson	Laurent	Sanderson
Bronson	Diaz de la Portilla	Lawson	Saunders
Brown-Waite	Dyer	Lee	Sebesta
Burt	Garcia	Meek	Silver
Campbell	Geller	Miller	Smith
Carlton	Holzendorf	Mitchell	Sullivan
Clary	Jones	Peaden	Villalobos
Constantine	King	Posey	Wasserman Schultz
Cowin	Klein	Pruitt	Webster
Crist	Latvala	Rossin	

Nays—None

**CS for CS for SB 870**—A bill to be entitled An act relating to construction; amending s. 218.72, F.S.; redefining the terms “proper invoice,” “local government entity,” “purchase,” and “construction services” and defining the terms “payment request” and “agent” for the purpose of the Florida Prompt Payment Act; amending s. 218.73, F.S.; providing for timely payment for nonconstruction services; amending s. 218.735, F.S.; revising provisions with respect to timely payment for purchases of construction services; providing for disputed payment requests; providing for payment of undisputed amounts; amending s. 218.74, F.S.; revising provisions with respect to procedures for calculation of payment due dates; amending s. 218.75, F.S.; revising provisions with respect to mandatory interest; amending s. 218.76, F.S.; revising provisions with respect to improper invoices and resolution of disputes; providing for the recovery of court costs and attorney’s fees under certain circumstances; providing an effective date.

—as amended April 4 was read the third time by title.

On motion by Senator Webster, **CS for CS for SB 870** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Dawson	Lee	Sebesta
Bronson	Diaz de la Portilla	Meek	Silver
Brown-Waite	Dyer	Miller	Smith
Burt	Garcia	Mitchell	Sullivan
Campbell	Geller	Peaden	Villalobos
Carlton	Holzendorf	Posey	Wasserman Schultz
Clary	Jones	Pruitt	Webster
Constantine	King	Rossin	
Cowin	Klein	Sanderson	
Crist	Latvala	Saunders	

Nays—None

Vote after roll call:

Yea—Lawson

On motion by Senator Dawson, the rules were waived and the Senate proceeded to—

## SPECIAL ORDER CALENDAR

On motion by Senator Dawson, by unanimous consent—

**CS for SB 224**—A bill to be entitled An act relating to medically essential electric public utility service; creating s. 366.15, F.S.; defining the term “medically essential”; requiring electric public utilities to provide medically essential service under specified circumstances; providing procedures for certification of medically essential utility service; authorizing utilities to disconnect service under certain circumstances; providing for notice to customers; providing for payment for service; providing for monitoring of customers; providing responsibilities for customers; providing for the identification of sources for funding purposes; providing an effective date.

—was taken up out of order and read the second time by title.

The Committee on Governmental Oversight and Productivity recommended the following amendment which was moved by Senator Dawson and adopted:

**Amendment 1 (471880)**—On page 1, line 29, after “the” insert: *residential*

Senator Dawson moved the following amendments which were adopted:

**Amendment 2 (253798)**—On page 2, line 11, after “chapter 458” insert: *or chapter 459*

**Amendment 3 (675320)**—On page 2, line 15, after “s. 458.331(1)(h)” insert: *or s. 459.015(1)(i)*

Pursuant to Rule 4.19, **CS for SB 224** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By direction of the President, the rules were waived and the Senate reverted to—

## BILLS ON THIRD READING

### SENATOR KING PRESIDING

**CS for SB 208**—A bill to be entitled An act relating to consumer protection; amending s. 501.203, F.S.; including business or commercial entity within the definition of the term “consumer” for purposes of ch. 501, F.S.; incorporating revisions to applicable regulations; amending s. 501.204, F.S.; incorporating interpretations relating to the Federal Trade Commission Act; amending s. 501.207, F.S.; authorizing an action on behalf of a governmental entity for damages caused by a violation of part II of ch. 501, F.S.; amending s. 501.2075, F.S.; providing for waiver of civil penalties if restitution is made for actual damages to a governmental entity; repealing s. 501.2091, F.S., relating to an authorization for a stay of proceedings pending trial by a party to an action under part II of ch. 501, F.S.; amending s. 501.211, F.S.; providing for the recovery of actual damages on the part of a person who suffers a loss as a result of a violation of part II of ch. 501, F.S.; amending s. 501.212, F.S.; providing that an exemption from regulation under part II of ch. 501, F.S., applies to activities regulated under laws administered by the Public Service Commission; providing an effective date.

—as amended April 4 was read the third time by title.

On motion by Senator Geller, **CS for SB 208** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

Bronson	Constantine	Garcia	Laurent
Brown-Waite	Cowin	Geller	Lawson
Burt	Crist	Holzendorf	Lee
Campbell	Dawson	Jones	Meek
Carlton	Diaz de la Portilla	Klein	Miller
Clary	Dyer	Latvala	Mitchell

Peaden	Sanderson	Silver	Villalobos
Posey	Saunders	Smith	Wasserman Schultz
Pruitt	Sebesta	Sullivan	Webster
Rossin			

Nays—None

Vote after roll call:

Yea—King

**SB 150**—A bill to be entitled An act relating to property exempt from legal process; amending s. 222.25, F.S.; exempting certain debtor's interests from attachment, garnishment, or legal process; providing that such exemption does not apply to debts owed for child support or spousal support; providing an effective date.

—as amended April 4 was read the third time by title.

On motion by Senator Mitchell, **SB 150** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Bronson	Diaz de la Portilla	Lawson	Saunders
Brown-Waite	Dyer	Lee	Sebesta
Burt	Garcia	Meek	Silver
Campbell	Geller	Miller	Smith
Carlton	Holzendorf	Mitchell	Sullivan
Clary	Jones	Peaden	Villalobos
Constantine	King	Posey	Wasserman Schultz
Cowin	Klein	Pruitt	Webster
Crist	Latvala	Rossin	
Dawson	Laurent	Sanderson	

Nays—None

On motion by Senator Silver, consideration of **CS for SB 788** was deferred.

**CS for SB 178**—A bill to be entitled An act relating to duration of real property liens; amending s. 55.10, F.S.; revising the period of duration of certain liens; providing an effective date.

—as amended April 4 was read the third time by title.

On motion by Senator Brown-Waite, **CS for SB 178** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Bronson	Diaz de la Portilla	Lawson	Saunders
Brown-Waite	Dyer	Lee	Sebesta
Burt	Garcia	Meek	Silver
Campbell	Geller	Miller	Smith
Carlton	Holzendorf	Mitchell	Sullivan
Clary	Jones	Peaden	Villalobos
Constantine	King	Posey	Wasserman Schultz
Cowin	Klein	Pruitt	Webster
Crist	Latvala	Rossin	
Dawson	Laurent	Sanderson	

Nays—None

**CS for SB 788**—A bill to be entitled An act relating to unfair methods of competition and unfair or deceptive trade practices; amending s. 626.9541, F.S.; prohibiting certain insurers from specified discriminatory acts based upon an applicant or insureds having been or likelihood to become a victim of specified abuse; providing exceptions; providing an effective date.

—as amended April 4 was read the third time by title.

On motion by Senator Silver, **CS for SB 788** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Bronson	Diaz de la Portilla	Lawson	Saunders
Brown-Waite	Dyer	Lee	Sebesta
Burt	Garcia	Meek	Silver
Campbell	Geller	Miller	Smith
Carlton	Holzendorf	Mitchell	Sullivan
Clary	Jones	Peaden	Villalobos
Constantine	King	Posey	Wasserman Schultz
Cowin	Klein	Pruitt	Webster
Crist	Latvala	Rossin	
Dawson	Laurent	Sanderson	

Nays—None

**SB 648**—A bill to be entitled An act relating to the Beverage Law; amending ss. 562.11, 562.111, F.S.; providing an exemption for giving or serving to certain underage students alcoholic beverages that are delivered as part of a required curriculum at an accredited institution; providing an exemption for the possession of alcoholic beverages by underage students in specified circumstances; providing an effective date.

—was read the third time by title.

Senator Garcia moved the following amendment which was adopted by two-thirds vote:

**Amendment 1 (041852)**—On page 1, line 30, delete “college” and insert: “institution”

On motion by Senator Garcia, **SB 648** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

Bronson	Dawson	Latvala	Sanderson
Brown-Waite	Diaz de la Portilla	Laurent	Saunders
Burt	Dyer	Lawson	Sebesta
Campbell	Garcia	Lee	Silver
Carlton	Geller	Meek	Smith
Clary	Holzendorf	Miller	Sullivan
Constantine	Jones	Mitchell	Villalobos
Cowin	King	Pruitt	Wasserman Schultz
Crist	Klein	Rossin	

Nays—3

Peaden	Posey	Webster
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**HB 407**—A bill to be entitled An act relating to public records and meetings exemptions for university health services support organizations; repealing s. 240.2995(6), F.S., which provides that meetings of the governing board of a university health services support organization are public and requires that certain records be made available to the Department of Insurance; amending s. 240.2996, F.S., which provides exemptions from public records and meetings requirements for certain contracts and related documents, marketing plans, trade secrets, and evaluation records of such organizations, for meetings at which any of such records or information is discussed, and for records of such meetings; reenacting such exemptions and removing the October 2, 2001, repeal thereof scheduled under the Open Government Sunset Review Act of 1995; narrowing the type of marketing plans exempted; requiring university health services support organizations to make certain records available to the Department of Insurance; providing an effective date.

—was read the third time by title.

On motion by Senator Pruitt, **HB 407** was passed and certified to the House. The vote on passage was:

Yeas—37

Bronson	Diaz de la Portilla	Lee	Sebesta
Brown-Waite	Dyer	Meek	Silver
Burt	Garcia	Miller	Smith
Campbell	Geller	Mitchell	Sullivan
Carlton	Holzendorf	Peaden	Villalobos
Clary	Jones	Posey	Wasserman Schultz
Constantine	Klein	Pruitt	Webster
Cowin	Latvala	Rossin	
Crist	Laurent	Sanderson	
Dawson	Lawson	Saunders	

Nays—None

Vote after roll call:

Yea—King

**CS for SB 778**—A bill to be entitled An act relating to lawyer assistance programs; providing civil immunity for persons making good-faith reports of information to a lawyer assistance program; providing for a presumption of good faith; providing for immunity for certain persons; providing that certain information is subject to the attorney-client privilege; providing for the confidentiality of certain records, proceedings and communications; providing an effective date.

—was read the third time by title.

On motion by Senator Rossin, **CS for SB 778** was passed and certified to the House. The vote on passage was:

Yeas—38

Bronson	Diaz de la Portilla	Lawson	Saunders
Brown-Waite	Dyer	Lee	Sebesta
Burt	Garcia	Meek	Silver
Campbell	Geller	Miller	Smith
Carlton	Holzendorf	Mitchell	Sullivan
Clary	Jones	Peaden	Villalobos
Constantine	King	Posey	Wasserman Schultz
Cowin	Klein	Pruitt	Webster
Crist	Latvala	Rossin	
Dawson	Laurent	Sanderson	

Nays—None

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Consideration of **CS for SB 746** was deferred.

**CS for SB 1788**—A bill to be entitled An act relating to continuing dental education; amending s. 456.031, F.S.; providing an alternative by which licensees may comply with a general requirement that they take domestic-violence education courses; amending s. 456.033, F.S.; providing an alternative by which licensees may comply with a general requirement that they take AIDS/HIV education courses; providing an effective date.

—was read the third time by title.

Senator Carlton moved the following amendment which was adopted by two-thirds vote:

**Amendment 1 (575848)(with title amendment)**—On page 2, delete line 14 and insert:

Section 3. Subsection (9) is added to section 627.419, Florida Statutes, to read:

627.419 Construction of policies.—

(9) *With respect to any group or individual insurer covering dental services, each claimant, or dentist acting for a claimant, who has had a claim denied as not medically or dentally necessary or who has had a claim payment based on an alternate dental service in accordance with accepted dental standards for adequate and appropriate care must be*

*provided an opportunity for an appeal to the insurer's licensed dentist who is responsible for the medical necessity reviews under the plan or is a member of the plan's peer review group. The appeal may be by telephone, and the insurer's dentist must respond within a reasonable time, not to exceed 15 business days.*

Section 4. This act shall take effect July 1, 2001, and section 3 of this act, amending section 627.419, Florida Statutes, shall apply to policies issued or renewed after that date.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to dentistry; amending s. 627.419, F.S.; providing for appeals from certain adverse determinations relating to dental service claims; amending s. 456.031, F.S.; providing an alternative by which licensees under ch. 466, F.S., may comply with a general requirement that they take domestic-violence education courses; amending s. 456.033, F.S.; providing an alternative by which such licensees may comply with a general requirement that they take AIDS/HIV education courses; providing an effective date.

On motion by Senator Wasserman Schultz, **CS for SB 1788** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Bronson	Dyer	Lee	Sebesta
Brown-Waite	Garcia	Meek	Silver
Burt	Geller	Miller	Smith
Campbell	Holzendorf	Mitchell	Sullivan
Carlton	Jones	Peaden	Villalobos
Clary	King	Posey	Wasserman Schultz
Cowin	Klein	Pruitt	Webster
Crist	Latvala	Rossin	
Dawson	Laurent	Sanderson	
Diaz de la Portilla	Lawson	Saunders	

Nays—None

Vote after roll call:

Yea—Constantine

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Consideration of **CS for SB 836** was deferred.

**SB 1094**—A bill to be entitled An act relating to property or liability insurance contracts; providing that certain pollution-exclusion provisions may exclude only certain incidents and hazards; providing an effective date.

—as amended April 4 was read the third time by title.

On motion by Senator Campbell, **SB 1094** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Bronson	Diaz de la Portilla	Lawson	Saunders
Brown-Waite	Dyer	Lee	Sebesta
Burt	Garcia	Meek	Silver
Campbell	Geller	Miller	Smith
Carlton	Holzendorf	Mitchell	Sullivan
Clary	Jones	Peaden	Villalobos
Constantine	King	Posey	Wasserman Schultz
Cowin	Klein	Pruitt	Webster
Crist	Latvala	Rossin	
Dawson	Laurent	Sanderson	

Nays—None

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On motion by Senator Carlton, by two-thirds vote **CS for CS for HB 107** was withdrawn from the Committee on Banking and Insurance.

On motion by Senator Carlton, by two-thirds vote—

**CS for CS for HB 107**—A bill to be entitled An act relating to unclaimed property; revising provisions of ch. 717, F.S., to refer to property considered abandoned as unclaimed property; amending s. 717.101, F.S.; revising certain definitions; amending ss. 717.102, 717.103, 717.1035, 717.104, 717.105, 717.107, 717.108, 717.109, 717.1101, 717.111, 717.113, 717.115, 717.116, 717.1201, 717.122, 717.125, and 717.129, F.S.; changing references to property from being abandoned to being unclaimed; amending s. 717.106, F.S., to conform; providing an additional criterion for certain property in financial organizations being presumed unclaimed; amending s. 717.112, F.S., to conform; providing a presumption that certain intangible property is unclaimed under certain circumstances; amending s. 717.117, F.S., to conform; deleting a report verification requirement; revising unclaimed property report requirements; revising search and notification requirements for inactive accounts; amending s. 717.118, F.S., to conform; revising certain notification procedures; amending s. 717.119, F.S., to conform; authorizing payment of unclaimed funds by electronic transfer; deleting an authorization to deduct reasonable fees from certain sale proceeds; providing valuation and remission of contents of safe-deposit boxes; amending s. 717.122, F.S., to conform; authorizing the department to dispose of certain property under certain circumstances; amending s. 717.123, F.S.; revising the disposition of funds held by the Department of Banking and Finance relating to unclaimed property; amending s. 717.124, F.S.; revising certain procedures for filing claims by owner's representatives and receiving and making payments to an owner or owner's representative; amending s. 717.1241; revising resolution of conflicting ownership claims between certain persons; amending s. 717.1243, F.S.; revising provisions for disposition of claims from small estate accounts; creating s. 717.1315, F.S.; providing for retention of certain records by an owner's representative; providing requirements; amending s. 717.132, F.S.; providing for deposit of administrative fines into the Unclaimed Property Trust Fund; amending s. 717.135, F.S.; revising provisions relating to unenforceability of certain agreements to locate reported property; requiring disclosure of certain information; limiting certain recovery fees; specifying agreement requirements; amending s. 717.138, F.S.; authorizing the Department of Banking and Finance to adopt rules for certain electronic filings; amending s. 732.107, F.S.; revising provisions relating to escheat of certain property to the state; revising provisions relating to entitlement to, procedures for payment or assignment of, or distributions of certain proceeds; amending s. 215.965, F.S., to conform; amending s. 493.6101, F.S., to conform; amending s. 493.6102, F.S.; specifying nonapplication to certain persons; repealing s. 717.137, F.S., relating to effect and application of certain provisions; providing an effective date.

—a companion measure, was substituted for **CS for SB 1398** as amended and by two-thirds vote read the second time by title.

Senator Carlton moved the following amendments which were adopted:

**Amendment 1 (933892)**—On page 18, lines 10 and 11, delete those lines and insert: *instrument or contract, or if 2 years have transpired since first-class mail has been returned as undeliverable. With respect to banks, credit*

**Amendment 2 (113270)**—In title, on page 1, line 10, delete “and”

On motion by Senator Carlton, by two-thirds vote **CS for CS for HB 107** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Bronson	Diaz de la Portilla	Lawson	Saunders
Brown-Waite	Dyer	Lee	Sebesta
Burt	Garcia	Meek	Silver
Campbell	Geller	Miller	Smith
Carlton	Holzendorf	Mitchell	Sullivan
Clary	Jones	Peaden	Villalobos
Constantine	King	Posey	Wasserman Schultz
Cowin	Klein	Pruitt	Webster
Crist	Latvala	Rossin	
Dawson	Laurent	Sanderson	

Nays—None

**CS for SB 1052**—A bill to be entitled An act relating to pest control; amending s. 482.242, F.S.; providing additional exceptions to the state's preemption of pest-control regulation; providing an effective date.

—as amended April 4 was read the third time by title.

On motion by Senator Silver, **CS for SB 1052** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Bronson	Diaz de la Portilla	Lawson	Saunders
Brown-Waite	Dyer	Lee	Sebesta
Burt	Garcia	Meek	Silver
Campbell	Geller	Miller	Smith
Carlton	Holzendorf	Mitchell	Sullivan
Clary	Jones	Peaden	Villalobos
Constantine	King	Posey	Wasserman Schultz
Cowin	Klein	Pruitt	Webster
Crist	Latvala	Rossin	
Dawson	Laurent	Sanderson	

Nays—None

**SB 1372**—A bill to be entitled An act relating to persons with developmental disabilities; reenacting s. 400.962, F.S., to ratify prior changes that removed the licensure requirement for comprehensive transitional educational programs; providing an effective date.

—was read the third time by title.

On motion by Senator Cowin, **SB 1372** was passed and certified to the House. The vote on passage was:

Yeas—35

Bronson	Dawson	Latvala	Saunders
Brown-Waite	Diaz de la Portilla	Laurent	Sebesta
Burt	Dyer	Lawson	Silver
Campbell	Garcia	Meek	Smith
Carlton	Geller	Miller	Sullivan
Clary	Holzendorf	Mitchell	Villalobos
Constantine	Jones	Pruitt	Wasserman Schultz
Cowin	King	Rossin	Webster
Crist	Klein	Sanderson	

Nays—None

Vote after roll call:

Yea—Peaden, Posey

Consideration of **CS for SB 1524** was deferred.

**SB 854**—A bill to be entitled An act relating to aquifer storage and recovery wells; creating s. 403.065, F.S.; providing findings; providing for classifications and permitting of aquifer storage and recovery wells; providing a zone of discharge for aquifer storage and recovery wells meeting specific criteria; providing monitoring requirements for aquifer storage and recovery wells; requiring an aquifer exemption for an aquifer storage and recovery well that does not meet primary drinking water standards other than those relating to total coliform bacteria or sodium; requiring the Department of Environmental Protection to make a reasonable effort to issue or deny permits within a specified period; providing rulemaking authority; requiring a report; amending s. 373.309, F.S.; requiring the department to enact rules relating to the construction of water wells in certain locations and requiring the department to make certain information available to governmental agencies and the public; providing an effective date.

—as amended April 4 was read the third time by title.

## THE PRESIDENT PRESIDING

Senators Brown-Waite, Mitchell, Smith and Cowin offered the following amendment which was moved by Senator Brown-Waite and failed to receive the required two-thirds vote:

**Amendment 1 (611134)(with title amendment)**—On page 6, between lines 18 and 19, insert:

*(15) This section does not apply to the following counties: Alachua, Baker, Bradford, Citrus, Clay, Columbia, Dixie, Gilchrist, Hamilton, Hernando, Jefferson, Lafayette, Lake, Leon, Levy, Madison, Marion, Nassau, Pasco, Putnam, Seminole, Sumter, Suwannee, Taylor, and Union.*

And the title is amended as follows:

On page 1, line 18, after the semicolon (;) insert: providing that this section is inapplicable to specified counties;

On motion by Senator Pruitt, **SB 854** as amended was passed and certified to the House. The vote on passage was:

Yeas—29

Mr. President	Garcia	Miller	Silver
Bronson	Geller	Mitchell	Smith
Burt	King	Peaden	Sullivan
Carlton	Klein	Posey	Villalobos
Clary	Latvala	Pruitt	Wasserman Schultz
Constantine	Laurent	Rossin	
Diaz de la Portilla	Lawson	Saunders	
Dyer	Lee	Sebesta	

Nays—7

Brown-Waite	Crist	Holzendorf	Meek
Cowin	Dawson	Jones	

Vote after roll call:

Yea—Sanderson, Webster

**CS for SB 1030**—A bill to be entitled An act relating to water resources; amending s. 403.852, F.S.; redefining the terms “public water system,” “noncommunity water system,” “nontransient noncommunity water system,” and “transient noncommunity water system”; amending s. 403.853, F.S.; requiring the Department of Environmental Protection to adopt primary and secondary drinking water regulations for nontransient noncommunity water systems and transient noncommunity water systems; providing that certified operators are not required for certain transient noncommunity water systems; amending s. 403.8532, F.S.; authorizing the Department of Environmental Protection to make loans to nonprofit transient noncommunity water systems; amending s. 403.854, F.S.; requiring the Department of Environmental Protection to waive on a case-by-case basis certain disinfection and operator requirements applicable to transient noncommunity water systems; amending s. 403.589, F.S.; providing that it is a violation for failure to comply with certain permit requirements; amending s. 403.861, F.S.; authorizing the Department of Environmental Protection to issue permits for altering or extending a public water system based on the size of the system under certain circumstances; requiring suppliers of water to submit periodic operating reports and testing data which may include certain raw water data; amending s. 403.865, F.S.; providing a legislative finding that the operation of water and wastewater treatment systems must be operated by qualified personnel; amending s. 403.866, F.S.; redefining the terms “operator” and “water distribution system”; amending s. 403.867, F.S.; requiring water distribution system operators to be licensed; amending s. 403.871, F.S.; requiring the Department of Environmental Protection to establish certain fees sufficient to cover the entire cost of administering ss. 403.865-403.876, F.S., relating to water and wastewater operator certification; amending s. 403.872, F.S.; requiring any person to be licensed as a water distribution system operator to take the licensure examination; amending s. 403.875, F.S.; prohibiting any person from performing the duties of an operator of a water distribution system unless licensed; amending s. 403.88, F.S.; requiring the Department of Environmental Protection to classify water treatment plants and water distribution systems by size, complexity, and level of treatment neces-

sary to render the source water suitable for its intended purpose; requiring the Department of Environmental Protection to establish the levels of certification and the staffing requirements for water treatment plant, water distribution system, and wastewater treatment plant operators; providing a water treatment plant operator's license is also valid as a water distribution system license of the same classification or lower; amending s. 403.1832, F.S.; conforming a cross-reference; amending s. 403.1835, F.S.; providing a definition of local governmental agencies; amending s. 373.323, F.S.; providing continuing education requirements for water well contractors; authorizing water well contractors to install and repair certain equipment on water systems; amending s. 373.324, F.S.; providing continuing education requirements for license renewal; repealing s. 403.1821, F.S., relating to the short title of the “Florida Water Pollution Control and Sewage Treatment Plant Grant Act”; repealing s. 403.1822, F.S., relating to definitions; repealing s. 403.1823, F.S., relating to rulemaking authority; repealing s. 403.1826, F.S., relating to grants and requirements for eligibility; repealing s. 403.1829, F.S., relating to funding project priorities; providing an effective date.

—as amended April 4 was read the third time by title.

On motion by Senator Bronson, **CS for SB 1030** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Dawson	Laurent	Rossin
Bronson	Diaz de la Portilla	Lawson	Sanderson
Brown-Waite	Dyer	Lee	Saunders
Burt	Garcia	Meek	Sebesta
Campbell	Geller	Miller	Silver
Clary	Holzendorf	Mitchell	Smith
Constantine	Jones	Peaden	Sullivan
Cowin	Klein	Posey	Villalobos
Crist	Latvala	Pruitt	Wasserman Schultz

Nays—None

Vote after roll call:

Yea—Carlton, King, Webster

On motion by Senator Carlton, consideration of **SB 1564** was deferred.

**CS for SB 240**—A bill to be entitled An act relating to sentencing; amending s. 944.17, F.S.; requiring that a prisoner sentenced for a crime committed during incarceration in the state correctional system serve the sentence for such crime in the state system, regardless of the length of sentence imposed; providing an effective date.

—was read the third time by title.

On motion by Senator Smith, **CS for SB 240** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dawson	Laurent	Sanderson
Bronson	Diaz de la Portilla	Lawson	Saunders
Brown-Waite	Dyer	Lee	Sebesta
Burt	Garcia	Meek	Silver
Campbell	Geller	Miller	Smith
Carlton	Holzendorf	Mitchell	Sullivan
Clary	Jones	Peaden	Villalobos
Constantine	King	Posey	Wasserman Schultz
Cowin	Klein	Pruitt	
Crist	Latvala	Rossin	

Nays—None

Vote after roll call:

Yea—Webster

**CS for SB 888**—A bill to be entitled An act relating to violations of probation or community control; amending s. 948.06, F.S.; providing for



tolling the period of probation or community control for an offender following the filing of an affidavit alleging a violation of probation or community control and issuance of a warrant; providing for a previously imposed period of probation or community control to be reinstated following dismissal of the affidavit; providing an effective date.

—as amended April 4 was read the third time by title.

On motion by Senator Campbell, **CS for SB 888** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Dawson	Latvala	Rossin
Bronson	Diaz de la Portilla	Laurent	Sanderson
Burt	Dyer	Lawson	Saunders
Campbell	Garcia	Lee	Sebesta
Carlton	Geller	Meek	Silver
Clary	Holzendorf	Miller	Smith
Constantine	Jones	Mitchell	Sullivan
Cowin	King	Peaden	Villalobos
Crist	Klein	Pruitt	Wasserman Schultz

Nays—None

Vote after roll call:

Yea—Brown-Waite, Posey, Webster

**CS for SB 836**—A bill to be entitled An act relating to health insurers and health maintenance organizations; creating s. 627.6474, F.S.; prohibiting health insurers from requiring certain contracted health care practitioners to accept the terms of other health care contracts as a condition of continuation or renewal; providing exceptions; amending s. 627.662, F.S.; applying this prohibition to group health insurance, blanket health insurance, and franchise health insurance; amending s. 641.315, F.S.; applying this prohibition to health maintenance organizations; providing an effective date.

—as amended April 4 was read the third time by title.

Senator King moved the following amendments which were adopted by two-thirds vote:

**Amendment 1 (952002)**—On page 1, line 23, after “*insurer*” insert: *or any other insurer, or health maintenance organization, under common management and control with the insurer,*

**Amendment 2 (411670)**—On page 2, line 14, after “*organization*” insert: *or any insurer, or other health maintenance organization, under common management and control with the health maintenance organization,*

On motion by Senator Crist, **CS for SB 836** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dawson	Laurent	Sanderson
Bronson	Diaz de la Portilla	Lawson	Saunders
Brown-Waite	Dyer	Lee	Sebesta
Burt	Garcia	Meek	Silver
Campbell	Geller	Miller	Smith
Carlton	Holzendorf	Mitchell	Sullivan
Clary	Jones	Peaden	Villalobos
Constantine	King	Posey	Wasserman Schultz
Cowin	Klein	Pruitt	
Crist	Latvala	Rossin	

Nays—None

## INTRODUCTION OF FORMER SENATOR

The President introduced former Senator Dick Langley who was present in the chamber.

**CS for SB 1524**—A bill to be entitled An act relating to water management; creating s. 373.1502, F.S.; creating the Comprehensive Everglades Restoration Plan Regulation Act; providing an expedited permitting program for project components as part of the comprehensive plan; amending s. 373.026, F.S.; providing that state funds for land purchases are authorized if contained within the Florida Forever Water Management District Work Plan; amending s. 373.470, F.S.; revising the due date for the annual comprehensive plan report; amending s. 403.088, F.S.; providing standards for the permitting of construction, operation, and maintenance of facilities in the South Florida ecosystem; providing an effective date.

—was read the third time by title.

On motion by Senator Constantine, **CS for SB 1524** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Diaz de la Portilla	Lawson	Saunders
Bronson	Dyer	Lee	Sebesta
Brown-Waite	Garcia	Meek	Silver
Burt	Geller	Miller	Smith
Campbell	Holzendorf	Mitchell	Sullivan
Carlton	Jones	Peaden	Villalobos
Clary	King	Posey	Wasserman Schultz
Constantine	Klein	Pruitt	
Cowin	Latvala	Rossin	
Crist	Laurent	Sanderson	

Nays—None

Vote after roll call:

Yea—Webster

**SB 1564**—A bill to be entitled An act relating to the corporate income tax; amending s. 220.03, F.S.; providing for the adoption of the 2001 version of the Internal Revenue Code; providing for retroactivity; providing an effective date.

—was read the third time by title.

On motion by Senator Carlton, **SB 1564** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dawson	Laurent	Sanderson
Bronson	Diaz de la Portilla	Lawson	Saunders
Brown-Waite	Dyer	Lee	Sebesta
Burt	Garcia	Meek	Silver
Campbell	Geller	Miller	Smith
Carlton	Holzendorf	Mitchell	Sullivan
Clary	Jones	Peaden	Villalobos
Constantine	King	Posey	Wasserman Schultz
Cowin	Klein	Pruitt	
Crist	Latvala	Rossin	

Nays—None

Vote after roll call:

Yea—Webster

**SB 676**—A bill to be entitled An act relating to sentencing; amending s. 775.082, F.S.; redefining the term “prison releasee reoffender” to include a defendant who commits certain felonies within a specified period after being released from a correctional institution outside the state or while escaped from a correctional institution outside the state; providing requirements for sentencing a defendant if the state attorney proves by a preponderance of the evidence that the defendant is a prison releasee reoffender; providing an effective date.

—as amended April 4 was read the third time by title.

On motion by Senator Smith, **SB 676** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dawson	Laurent	Sanderson
Bronson	Diaz de la Portilla	Lawson	Saunders
Brown-Waite	Dyer	Lee	Sebesta
Burt	Garcia	Meek	Silver
Campbell	Geller	Miller	Smith
Carlton	Holzendorf	Mitchell	Sullivan
Clary	Jones	Peaden	Villalobos
Constantine	King	Posey	Wasserman Schultz
Cowin	Klein	Pruitt	
Crist	Latvala	Rossin	

Nays—None

Vote after roll call:

Yea—Webster

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#### SENATOR SILVER PRESIDING

**SB 1066**—A bill to be entitled An act relating to the Florida Evidence Code; creating s. 90.4026, F.S.; providing definitions; providing for the inadmissibility of certain statements, writings, or benevolent gestures as evidence in a civil action; providing for the admissibility of certain statements; providing an effective date.

—as amended April 4 was read the third time by title.

On motion by Senator Peaden, **SB 1066** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

Bronson	Diaz de la Portilla	Lawson	Saunders
Brown-Waite	Dyer	Lee	Sebesta
Burt	Garcia	Meek	Silver
Campbell	Geller	Miller	Smith
Carlton	Holzendorf	Mitchell	Sullivan
Clary	Jones	Peaden	Villalobos
Constantine	King	Posey	Wasserman Schultz
Cowin	Klein	Pruitt	
Crist	Latvala	Rossin	
Dawson	Laurent	Sanderson	

Nays—None

Vote after roll call:

Yea—Webster

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**CS for SB 1274**—A bill to be entitled An act relating to motor vehicles; amending s. 322.09, F.S.; providing that a foster parent or a group-home representative who signs an application for a learner's driver's license for a minor who is in foster care is not, by reason of having signed the application, assuming any obligation or liability for any damages caused by the minor; creating s. 627.746, F.S.; prohibiting insurers that issue insurance policies for private passenger automobiles from charging an additional premium for a minor who operates his or her parent's vehicle, during the time that the minor has a learner's driver's license; providing an effective date.

—as amended April 4 was read the third time by title.

On motion by Senator Burt, **CS for SB 1274** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

Bronson	Carlton	Crist	Garcia
Brown-Waite	Clary	Dawson	Geller
Burt	Constantine	Diaz de la Portilla	Jones
Campbell	Cowin	Dyer	King

Klein	Meek	Pruitt	Silver
Latvala	Miller	Rossin	Smith
Laurent	Mitchell	Sanderson	Sullivan
Lawson	Peaden	Saunders	Villalobos
Lee	Posey	Sebesta	Wasserman Schultz

Nays—None

Vote after roll call:

Yea—Webster

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**SB 308**—A bill to be entitled An act relating to the definition of “political committee”; amending s. 106.011, F.S.; modifying the definition of “political committee”; providing an effective date.

—as amended April 4 was read the third time by title.

On motion by Senator Saunders, **SB 308** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

Bronson	Diaz de la Portilla	Lawson	Saunders
Brown-Waite	Dyer	Lee	Sebesta
Burt	Garcia	Meek	Silver
Campbell	Geller	Miller	Smith
Carlton	Holzendorf	Mitchell	Sullivan
Clary	Jones	Peaden	Villalobos
Constantine	King	Posey	Wasserman Schultz
Cowin	Klein	Pruitt	
Crist	Latvala	Rossin	
Dawson	Laurent	Sanderson	

Nays—None

Vote after roll call:

Yea—Webster

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**SB 1942**—A bill to be entitled An act relating to employment screening; requiring administrators of medical clinics to successfully complete level 1 background screening; providing for payment of screening costs; providing an effective date.

—was read the third time by title.

On motion by Senator Diaz de la Portilla, **SB 1942** was passed and certified to the House. The vote on passage was:

Yeas—37

Bronson	Diaz de la Portilla	Lawson	Saunders
Brown-Waite	Dyer	Lee	Sebesta
Burt	Garcia	Meek	Silver
Campbell	Geller	Miller	Smith
Carlton	Holzendorf	Mitchell	Sullivan
Clary	Jones	Peaden	Villalobos
Constantine	King	Posey	Wasserman Schultz
Cowin	Klein	Pruitt	
Crist	Latvala	Rossin	
Dawson	Laurent	Sanderson	

Nays—None

Vote after roll call:

Yea—Webster

## THE PRESIDENT PRESIDING

**SB 1786**—A bill to be entitled An act relating to insurance; creating s. 627.4553, F.S.; requiring life insurers having certain types of policies in force to annually notify policyholders of certain information concerning their policies; providing exceptions; amending s. 627.4555, F.S.; limiting an exception from specified notice requirements with respect to lapse of life insurance coverage for nonpayment of premium; creating s. 627.4587, F.S.; requiring benefit enhancement of certain types of policies if the premium payment reaches certain levels; creating s. 627.5015, F.S.; prohibiting delivery or issuance of industrial life insurance policies after a specified date; requiring notice to policyholders of existing policies; providing an exception; providing an effective date.

—was read the third time by title.

On motion by Senator Dawson, **SB 1786** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dawson	Laurent	Sanderson
Bronson	Diaz de la Portilla	Lawson	Saunders
Brown-Waite	Dyer	Lee	Sebesta
Burt	Garcia	Meek	Silver
Campbell	Geller	Miller	Smith
Carlton	Holzendorf	Mitchell	Sullivan
Clary	Jones	Peaden	Villalobos
Constantine	King	Posey	Wasserman Schultz
Cowin	Klein	Pruitt	
Crist	Latvala	Rossin	

Nays—None

Vote after roll call:

Yea—Webster

## SPECIAL ORDER CALENDAR, continued

On motion by Senator Bronson, the Senate resumed consideration of—

**SB 412**—A bill to be entitled An act relating to civil actions; creating s. 790.331, F.S.; providing legislative findings with respect to the lawful manufacture, distribution, and sale of firearms and ammunition; prohibiting civil actions on behalf of the state or other political subdivision against manufacturers, distributors, and dealers of firearms or ammunition and firearms trade associations; specifying that the act does not preclude an action by a person for breach of a contract or warranty or for injuries resulting from a defect in the manufacture of firearms or ammunition; providing for actions by the state or other political subdivision for breach of contract or warranty; providing for actions for injuries resulting from defects in design or manufacture; providing that the potential of firearms or ammunition to cause serious injury, damage, or death does not constitute a defective condition; providing for the award of expenses in certain civil actions; providing an exception; providing for application of the act; providing an effective date.

—which was previously considered April 4. Pending **Amendment 1 (100550)** by Senator Bronson was withdrawn.

Pursuant to Rule 4.19, **SB 412** was placed on the calendar of Bills on Third Reading.

By direction of the President, the rules were waived and the Senate reverted to—

## BILLS ON THIRD READING

**CS for SB 746**—A bill to be entitled An act relating to education; creating s. 231.6015, F.S.; authorizing a mathematics and science teacher-education program; requiring demonstration of certain uses of funds; providing a program purpose, required components, and resource allocation; requiring collaborative planning and implementation; authorizing incentives and certification; creating s. 240.149, F.S.; creating a nongovernmental organization to plan and implement a program for mathe-

matics and science teacher education; requiring a board of directors, a chief executive officer, other staff, and an advisory council; providing for membership, terms of office, and an appointments process; providing responsibility and authority to conduct certain activities; requiring a budget request; amending s. 229.592, F.S.; requiring a report; amending s. 231.600, F.S.; requiring certain additions to professional development programs; amending s. 236.685, F.S.; requiring a report to include certain information; providing an effective date.

—was read the third time by title.

On motion by Senator Sullivan, **CS for SB 746** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dawson	Lawson	Saunders
Bronson	Diaz de la Portilla	Lee	Sebesta
Brown-Waite	Dyer	Meek	Silver
Burt	Garcia	Miller	Smith
Campbell	Geller	Mitchell	Sullivan
Carlton	Holzendorf	Peaden	Villalobos
Clary	Jones	Posey	Wasserman Schultz
Constantine	King	Pruitt	Webster
Cowin	Klein	Rossin	
Crist	Laurent	Sanderson	

Nays—None

## SPECIAL ORDER CALENDAR, continued

On motion by Senator Pruitt, by two-thirds vote **CS for HB 271** was withdrawn from the Committees on Education; Finance and Taxation; Appropriations Subcommittee on Education; and Appropriations.

On motion by Senator Pruitt—

**CS for HB 271**—A bill to be entitled An act relating to corporate income tax; creating s. 220.187, F.S.; providing purpose; providing definitions; providing a credit against said tax for contributions to a non-profit scholarship funding organization; providing limitations; providing for use of such contributions by such organizations for scholarships for certain children and providing requirements and limitations with respect thereto; providing for annual funding through the General Appropriations Act; providing for allocation; providing duties of the Department of Revenue and Department of Education; providing for rules; amending s. 220.02, F.S.; providing order of credits against the tax; amending s. 220.13, F.S.; providing for the inclusion of amounts taken as credit under s. 220.187, F.S., in determining a taxpayer's adjusted federal income; providing an effective date.

—a companion measure, was substituted for **CS for SB 1048** and read the second time by title.

## MOTION

On motion by Senator King, the rules were waived and time of recess was extended until completion of **CS for HB 271**, motions and announcements.

Senator Pruitt moved the following amendment:

**Amendment 1 (463418)(with title amendment)**—Delete every-thing after the enacting clause and insert:

Section 1. Section 220.187, Florida Statutes, is created to read:

*220.187 Credits for contributions to nonprofit scholarship-funding organizations.—*

(1) *PURPOSE.—The purpose of this section is to:*

(a) *Provide a tax credit for certain contributions to a nonprofit scholarship-funding organization.*

(b) *Expand educational opportunities for children of families that have limited financial resources.*

(c) *Enable children in this state to achieve a greater level of excellence in their education.*

(2) *DEFINITIONS.*—As used in this section, the term:

(a) “Department” means the Department of Revenue.

(b) “Eligible contribution” means a monetary contribution from a taxpayer, subject to the restrictions provided in this section, to an eligible nonprofit scholarship-funding organization. The taxpayer making the contribution may not designate a specific child or group of children as the beneficiaries of the contribution.

(c) “Eligible nonpublic school” means a nonpublic school located in Florida that offers an education to students in any grades K-12 and that meets the requirements in subsection (5).

(d) “Eligible nonprofit scholarship-funding organization” means a charitable organization that is exempt from federal income tax pursuant to s. 501(c)(3) of the Internal Revenue Code and that complies with the provisions of subsection (4).

(e) “Qualified student” means a student who qualifies for free or reduced-price school lunches under the National School Lunch Act and who:

1. Was counted as a full-time-equivalent student during the previous state fiscal year for purposes of state per-student funding;

2. Received a scholarship from an eligible nonprofit scholarship-funding organization during the previous school year; or

3. Is eligible to enter kindergarten or first grade.

(3) *AUTHORIZATION TO GRANT SCHOLARSHIP FUNDING TAX CREDITS; LIMITATIONS ON INDIVIDUAL AND TOTAL CREDITS.*—

(a) There is allowed a credit of 100 percent of an eligible contribution against any tax due for a taxable year under this chapter. However, such a credit may not exceed 75 percent of the tax due under this chapter for the taxable year, after the application of any other allowable credits by the taxpayer. However, 5 percent of the total statewide amount authorized for the tax credit shall be reserved for taxpayers who meet the definition of a small business provided in s. 288.703(1) at the time of application.

(b) The total amount of tax credit which may be granted each state fiscal year under this section is \$50 million.

(c) A taxpayer who files a Florida consolidated return as a member of an affiliated group pursuant to s. 220.131(1) may be allowed the credit on a consolidated return basis; however, the total credit taken by the affiliated group is subject to the limitation established under paragraph (a).

(4) *OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS.*—

(a) An eligible nonprofit scholarship-funding organization shall provide scholarships, from eligible contributions, to qualified students for tuition or textbook expenses for, or transportation to, an eligible nonpublic school. At least 75 percent of the scholarship funding must be used to pay tuition expenses.

(b) An eligible nonprofit scholarship-funding organization shall give priority to qualified students who received a scholarship from an eligible nonprofit scholarship-funding organization during the previous school year.

(c) The amount of a scholarship provided by the eligible nonprofit scholarship-funding organization from eligible contributions may not exceed \$3,500 annually for a scholarship awarded to a student enrolled in an eligible nonpublic school.

(d) The amount of an eligible contribution which may be accepted by an eligible nonprofit scholarship-funding organization is limited to the amount needed to provide scholarships for qualified students which the organization has identified and for which vacancies in eligible nonpublic schools have been identified.

(e) An eligible nonprofit scholarship-funding organization that receives an eligible contribution must spend 100 percent of the eligible contribution to provide scholarships in the same state fiscal year in which

the contribution was received. No portion of eligible contributions may be used for administrative expenses.

(f) An eligible nonprofit scholarship-funding organization that receives eligible contributions must be audited annually by an independent certified public accountant in accordance with rules adopted by the Department of Education. The annual audit report must be submitted to the Auditor General and the Department of Education for review. The Auditor General and the Department of Education are each authorized to require and obtain from the eligible nonprofit scholarship-funding organization, or from its certified public accountant, any data regarding the provision of scholarships to qualified students or the uses of eligible contributions.

(g) Payment of the scholarship by the eligible nonprofit scholarship-funding organization shall be by individual warrant made payable to the student's parent or guardian and mailed by the eligible nonprofit scholarship-funding organization to the nonpublic school of the parent's or guardian's choice, and the parent or guardian shall restrictively endorse the warrant to the nonpublic school. An eligible nonprofit scholarship-funding organization shall ensure that, upon receipt of a scholarship warrant, the parent or guardian to whom the warrant is made restrictively endorses the warrant to the nonpublic school of the parent's or guardian's choice for deposit into the account of the nonpublic school.

(5) *ELIGIBLE NONPUBLIC SCHOOL OBLIGATIONS.*—An eligible nonpublic school must:

(a) Demonstrate fiscal soundness by being in operation for one school year or provide the Department of Education with a statement by a certified public accountant confirming that the nonpublic school desiring to participate is insured and the owner or owners have sufficient capital or credit to operate the school for the upcoming year serving the number of students anticipated with expected revenues from tuition and other sources that may be reasonably expected. In lieu of such a statement, a surety bond or letter of credit for the amount equal to the scholarship funds for any quarter may be filed with the department.

(b) Notify the Department of Education of its intent to participate in the program under this section by May 1 of the school year preceding the school year in which it intends to participate. The notice must specify the grade levels and services that the nonpublic school has available for students who are participating in the scholarship program.

(c) Comply with the antidiscrimination provisions of 42 U.S.C. s. 2000d.

(d) Meet state and local health and safety laws and codes.

(e) Be academically accountable to the parent or guardian for meeting the educational needs of the student.

(f) Employ or contract with teachers who hold baccalaureate or higher degrees; or have at least 3 years of teaching experience in public or private schools; or have special skills, knowledge, or expertise that qualifies them to provide instruction in subjects taught.

(g) Comply with all state laws relating to general regulation of nonpublic schools.

(h) Adhere to the tenets of its published disciplinary procedures prior to the expulsion of a scholarship student.

(6) *ADMINISTRATION; RULES.*—

(a) If the credit granted pursuant to this section is not fully used in any one year, the unused amount may not be carried forward. A taxpayer may not convey, assign, or transfer the credit authorized by this section to another entity unless all of the assets of the taxpayer are conveyed, assigned, or transferred in the same transaction.

(b) An application for a tax credit pursuant to this section shall be submitted to the department on forms established by rule of the department.

(c) The department and the Department of Education shall develop a cooperative agreement to assist in the administration of this section. The Department of Education shall be responsible for annually submitting, by March 15, to the department a list of eligible nonprofit scholarship-funding organizations that meet the requirements of paragraph

(2)(d) and for monitoring eligibility of nonprofit scholarship-funding organizations that meet the requirements of paragraph (2)(d), eligibility of nonpublic schools that meet the requirements of paragraph (2)(c), and eligibility of expenditures under this section as provided in subsection (4).

(d) The department shall adopt rules necessary to administer this section, including rules establishing application forms and procedures and governing the allocation of tax credits under this section on a first-come, first-served basis.

(e) The Department of Education shall adopt rules necessary to determine eligibility of nonprofit scholarship-funding organizations and identify qualified students.

(7) **DEPOSITS OF ELIGIBLE CONTRIBUTIONS.**—All eligible contributions received by an eligible nonprofit scholarship-funding organization shall be deposited in a manner consistent with s. 18.10(2).

Section 2. Subsection (8) of section 220.02, Florida Statutes, is amended to read:

220.02 Legislative intent.—

(8) It is the intent of the Legislature that credits against either the corporate income tax or the franchise tax be applied in the following order: those enumerated in s. 631.828, those enumerated in s. 220.191, those enumerated in s. 220.181, those enumerated in s. 220.183, those enumerated in s. 220.182, those enumerated in s. 220.1895, those enumerated in s. 221.02, those enumerated in s. 220.184, those enumerated in s. 220.186, those enumerated in s. 220.1845, those enumerated in s. 220.19, and those enumerated in s. 220.185, and those enumerated in s. 220.187.

Section 3. Paragraph (a) of subsection (1) of section 220.13, Florida Statutes, is amended to read:

220.13 “Adjusted federal income” defined.—

(1) The term “adjusted federal income” means an amount equal to the taxpayer’s taxable income as defined in subsection (2), or such taxable income of more than one taxpayer as provided in s. 220.131, for the taxable year, adjusted as follows:

(a) Additions.—There shall be added to such taxable income:

1. The amount of any tax upon or measured by income, excluding taxes based on gross receipts or revenues, paid or accrued as a liability to the District of Columbia or any state of the United States which is deductible from gross income in the computation of taxable income for the taxable year.

2. The amount of interest which is excluded from taxable income under s. 103(a) of the Internal Revenue Code or any other federal law, less the associated expenses disallowed in the computation of taxable income under s. 265 of the Internal Revenue Code or any other law, excluding 60 percent of any amounts included in alternative minimum taxable income, as defined in s. 55(b)(2) of the Internal Revenue Code, if the taxpayer pays tax under s. 220.11(3).

3. In the case of a regulated investment company or real estate investment trust, an amount equal to the excess of the net long-term capital gain for the taxable year over the amount of the capital gain dividends attributable to the taxable year.

4. That portion of the wages or salaries paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.181. The provisions of this subparagraph shall expire and be void on June 30, 2005.

5. That portion of the ad valorem school taxes paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.182. The provisions of this subparagraph shall expire and be void on June 30, 2005.

6. The amount of emergency excise tax paid or accrued as a liability to this state under chapter 221 which tax is deductible from gross income in the computation of taxable income for the taxable year.

7. That portion of assessments to fund a guaranty association incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year.

8. In the case of a nonprofit corporation which holds a pari-mutuel permit and which is exempt from federal income tax as a farmers’ cooperative, an amount equal to the excess of the gross income attributable to the pari-mutuel operations over the attributable expenses for the taxable year.

9. The amount taken as a credit for the taxable year under s. 220.1895.

10. Up to nine percent of the eligible basis of any designated project which is equal to the credit allowable for the taxable year under s. 220.185.

11. The amount taken as a credit for the taxable year under s. 220.187.

Section 4. Paragraph (u) is added to subsection (7) of section 213.053, Florida Statutes, to read:

213.053 Confidentiality and information sharing.—

(7) Notwithstanding any other provision of this section, the department may provide:

(u) Information relative to s. 220.187 to the Department of Education in the conduct of its official business.

Disclosure of information under this subsection shall be pursuant to a written agreement between the executive director and the agency. Such agencies, governmental or nongovernmental, shall be bound by the same requirements of confidentiality as the Department of Revenue. Breach of confidentiality is a misdemeanor of the first degree, punishable as provided by s. 775.082 or s. 775.083.

Section 5. This act shall take effect January 1, 2002, and shall apply to tax years beginning on or after that date.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to corporate income tax; creating s. 220.187, F.S.; providing purpose; defining terms; providing a credit against the tax for contributions to a nonprofit scholarship-funding organization; providing limitations; providing for use of such contributions by such organizations for scholarships for certain students and providing requirements and limitations with respect thereto; providing for allocation; providing requirements for deposit of eligible contributions; providing duties of the Department of Revenue and Department of Education; establishing criteria for nonpublic school eligibility; providing for rules; amending s. 220.02, F.S.; providing order of credits against the tax; amending s. 220.13, F.S.; providing for the inclusion of amounts taken as credit under s. 220.187, F.S., in determining a taxpayer’s adjusted federal income; amending s. 213.053, F.S.; authorizing information-sharing with the Department of Education; providing an effective date.

Senator Geller moved the following amendment to **Amendment 1** which failed:

**Amendment 1A (880108)**—On page 1, line 17 through page 7, line 10, delete those lines and insert:

Section 1. Section 220.187, Florida Statutes, is created to read:

*220.187 Credits for contributions to district school board direct-support organizations, charter schools, and nonprofit scholarship-funding organizations.—*

(1) **PURPOSE.**—*The purpose of this section is to:*

(a) *Provide a tax credit for certain contributions to a nonprofit direct-support organization or charter school.*

(b) *Enable children in this state to achieve a greater level of excellence in their education.*

(2) **DEFINITIONS.**—*As used in this section, the term:*

(a) *“Department” means the Department of Revenue.*

(b) *“Eligible contribution” means a monetary contribution from a taxpayer, subject to the restrictions provided in this section, to a district*

school board direct-support organization or charter school. The taxpayer making the contribution may not designate a specific child or group of children as the beneficiaries of the contribution.

(c) "Direct-support organization" means a district school board direct-support organization created pursuant to s. 237.40(1)(a).

(3) **AUTHORIZATION TO GRANT SCHOLARSHIP FUNDING TAX CREDITS; LIMITATIONS ON INDIVIDUAL AND TOTAL CREDITS.**—

(a) There is allowed a credit of 100 percent of an eligible contribution against any tax due for a taxable year under this chapter. However, such a credit may not exceed 75 percent of the tax due under this chapter for the taxable year, after the application of any other allowable credits by the taxpayer. However, the total state and federal tax credits and deductions may not exceed the amount of the contribution.

(b) The total amount of tax credit which may be granted each state fiscal year under this section is \$50 million.

(c) A taxpayer who files a Florida consolidated return as a member of an affiliated group pursuant to s. 220.131(1) may be allowed the credit on a consolidated return basis; however, the total credit taken by the affiliated group is subject to the limitation established under paragraph (a).

(4) **OBLIGATIONS OF DIRECT-SUPPORT ORGANIZATIONS OR CHARTER SCHOOLS.**—Contributions received by a direct-support organization or charter school shall be acted upon pursuant to s. 237.40, except that a contributor may designate a particular school or schools as recipients of the contribution.

(5) **ADMINISTRATION; RULES.**—

(a) If the credit granted pursuant to this section is not fully used in any one year, the unused amount may not be carried forward. A taxpayer may not convey, assign, or transfer the credit authorized by this section to another entity unless all of the assets of the taxpayer are conveyed, assigned, or transferred in the same transaction.

(b) An application for a tax credit pursuant to this section shall be submitted to the department on forms established by rule of the department.

(c) The department and the Department of Education shall develop a cooperative agreement to assist in the administration of this section. The Department of Education shall be responsible for annually submitting, by June 15, to the department a list of eligible nonprofit scholarship-funding organizations that meet the requirements of paragraph (2)(d) and for monitoring eligibility of nonprofit scholarship-funding organizations that meet the requirements of paragraph (2)(d) and eligibility of expenditures under this section as provided in subsection (4).

(d) The department shall adopt rules necessary to administer this section, including rules establishing application forms and procedures and governing the allocation of tax credits under this section on a first-come, first-served basis.

(e) The Department of Education shall adopt rules necessary to determine eligibility of nonprofit scholarship-funding organizations and charter schools and identify qualified students.

Senator Dyer moved the following amendment to **Amendment 1** which failed:

**Amendment 1B (655038)**—On page 1, line 30 through page 2, line 14, delete those lines and insert:

(b) "Eligible contribution" means a monetary contribution from a corporation, subject to the restrictions provided in this section, to a district school board direct-support organization or an eligible nonprofit scholarship funding organization, if the taxpayer making the contribution does not designate a specific child as the beneficiary of the contribution.

(c) "Eligible nonpublic school" means a nonpublic school located in Florida that offers a general education to K-12 students and complies with the antidiscrimination provisions of 42 U.S.C. s. 2000d.

(d) "Eligible nonprofit scholarship funding organization" means a charitable organization that is exempt from federal income tax pursuant to s. 501(c)(3) of the Internal Revenue Code and that complies with the provisions of subsection (4).

(e) "Direct-support organization" means a district school board direct-support organization created pursuant to s. 237.40(1)(a).

(f) "Qualified student" means a student who qualifies

The vote was:

Yeas—16

Campbell	Geller	Latvala	Rossin
Crist	Holzendorf	Meek	Silver
Dawson	Jones	Miller	Smith
Dyer	Klein	Mitchell	Wasserman Schultz

Nays—22

Mr. President	Constantine	Lee	Sebesta
Bronson	Cowin	Peaden	Sullivan
Brown-Waite	Diaz de la Portilla	Posey	Villalobos
Burt	Garcia	Pruitt	Webster
Carlton	King	Sanderson	
Clary	Laurent	Saunders	

The question recurred on **Amendment 1** which was adopted.

Pursuant to Rule 4.19, **CS for HB 271** as amended was placed on the calendar of Bills on Third Reading.

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Miller, by two-thirds vote **SB 404** and **SJR 406** were withdrawn from the committees of reference and further consideration.

On motion by Senator Campbell, by two-thirds vote **SB 2072** was withdrawn from the committees of reference and further consideration.

On motion by Senator Holzendorf, by two-thirds vote **SB 476**, **SB 1222** and **SB 1224** were withdrawn from the committees of reference and further consideration.

On motion by Senator Bronson, by two-thirds vote **SB 762** was withdrawn from the committees of reference and further consideration.

On motion by Senator Smith, by two-thirds vote **SB 926** and **SB 952** were withdrawn from the committees of reference and further consideration.

On motion by Senator Lee, by two-thirds vote **CS for SB 1096** was removed from the Special Order Calendar and referred to the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations.

## MOTIONS

On motion by Senator Lee, a deadline of 5:00 p.m. this day was set for filing amendments to Bills on Third Reading to be considered Thursday April 12.

On motion by Senator Lee, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Thursday, April 12.

## MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Lee, the rules were waived and the Committees on Children and Families; Ethics and Elections; and Regulated Industries were granted permission to meet beginning 30 minutes after recess for up to 3 hours, in lieu of 1:15 p.m. until 4:15 p.m. as scheduled this day.

**REPORTS OF COMMITTEES**

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, April 11, 2001: SB 412, CS for SB 1048, SB 814, CS for SB 1260, CS for SB 224, CS for SB 992, CS for CS for SB 158, SB 850, SB 338, CS for CS for SB 248, CS for SB 424, SB 532, SB 1516, CS for SB 688, SB 782, CS for SB 452, SB 1126, CS for SB 828, SB 654, CS for SB 1096, CS for SB 972, CS for SB 360, SB 916, SB 428, SB 2104, SB 1834, SB 1412

Respectfully submitted,  
*Tom Lee, Chairman*

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The Committee on Education recommends the following pass: SB 458 with 1 amendment, CS for SB 1404, SB 2172, SB 2188

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 940 with 1 amendment, CS for SB 2108 with 6 amendments

**The bills contained in the foregoing reports were referred to the Appropriations Subcommittee on Education under the original reference.**

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The Committee on Agriculture and Consumer Services recommends the following pass: SB 1380 with 1 amendment

The Committee on Banking and Insurance recommends the following pass: SJR 300

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 1720

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: SB 522, SB 848, SB 868, CS for SB 1012, CS for SB 1172 with 1 amendment, SB 2168

The Committee on Governmental Oversight and Productivity recommends the following pass: CS for SB 718 with 1 amendment, SB 1812, SB 1968

The Committee on Natural Resources recommends the following pass: SB 1394 with 1 amendment

**The bills contained in the foregoing reports were referred to the Appropriations Subcommittee on General Government under the original reference.**

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The Committee on Children and Families recommends the following pass: SB 1278

The Committee on Education recommends the following pass: CS for SB 2092 with 1 amendment

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 622, SB 1230, SB 1650

The Committee on Health, Aging and Long-Term Care recommends the following pass: CS for SB 1286 with 1 amendment, SB 1324, CS for SB 1346, SB 2192

**The bills contained in the foregoing reports were referred to the Appropriations Subcommittee on Health and Human Services under the original reference.**

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The Committee on Criminal Justice recommends the following pass: SB 1146, SB 1634

The Committee on Ethics and Elections recommends the following pass: SB 1194, SB 1712 with 1 amendment

The Committee on Judiciary recommends the following pass: SB 1444

**The bills contained in the foregoing reports were referred to the Appropriations Subcommittee on Public Safety and Judiciary under the original reference.**

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The Committee on Governmental Oversight and Productivity recommends the following pass: SB 1886 with 1 amendment

**The bill was referred to the Committee on Banking and Insurance under the original reference.**

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The Committee on Criminal Justice recommends the following pass: SB 1680

**The bill was referred to the Committee on Children and Families under the original reference.**

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The Committee on Education recommends the following pass: SB 2004

The Committee on Transportation recommends the following pass: SB 1956

**The bills contained in the foregoing reports were referred to the Committee on Commerce and Economic Opportunities under the original reference.**

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The Committee on Criminal Justice recommends the following pass: SB 1980

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 1022 with 1 amendment, SB 1738, SB 2114 with 1 amendment

**The bills contained in the foregoing reports were referred to the Committee on Comprehensive Planning, Local and Military Affairs under the original reference.**

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The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: SB 1916 with 1 amendment

The Committee on Regulated Industries recommends the following pass: SB 1820

**The bills contained in the foregoing reports were referred to the Committee on Criminal Justice under the original reference.**

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The Committee on Ethics and Elections recommends the following pass: SB 1950 with 1 amendment

The Committee on Health, Aging and Long-Term Care recommends the following pass: SB 1532 with 1 amendment, SB 1618, SB 2010

**The bills contained in the foregoing reports were referred to the Committee on Education under the original reference.**

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The Committee on Agriculture and Consumer Services recommends the following pass: SB 1828

The Committee on Banking and Insurance recommends the following pass: CS for SB 500 with 1 amendment, SB 1220 with 1 amendment

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 1978, SB 2140

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: SB 54 with 1 amendment, CS for SB 668 with 1 amendment, SB 818, SB 1544

The Committee on Criminal Justice recommends the following pass: SB 10, SB 50 with 1 amendment, CS for SB 1778

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 486

The Committee on Judiciary recommends the following pass: SB 1580

The Committee on Regulated Industries recommends the following pass: SB 1212

**The bills contained in the foregoing reports were referred to the Committee on Finance and Taxation under the original reference.**

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The Committee on Agriculture and Consumer Services recommends the following pass: SB 1912

The Committee on Banking and Insurance recommends the following pass: SB 1958

The Committee on Children and Families recommends the following pass: SB 1650 with 2 amendments

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 1764 with 1 amendment, SB 2126 with 1 amendment

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: SB 768, SB 1344, SJR 1700 with 1 amendment, SB 1766, SB 1986, SB 2018

The Committee on Education recommends the following pass: SB 2166 with 2 amendments

The Committee on Ethics and Elections recommends the following pass: SB 1158 with 2 amendments

The Committee on Health, Aging and Long-Term Care recommends the following pass: SB 1314

The Committee on Judiciary recommends the following pass: SB 1200

The Committee on Natural Resources recommends the following pass: SB 1408 with 3 amendments

The Committee on Regulated Industries recommends the following pass: SB 1400 with 1 amendment

The Committee on Transportation recommends the following pass: SB 1948

**The bills contained in the foregoing reports were referred to the Committee on Governmental Oversight and Productivity under the original reference.**

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The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: SB 2142 with 1 amendment

**The bill was referred to the Committee on Judiciary under the original reference.**

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The Committee on Commerce and Economic Opportunities recommends the following pass: HB 389, HB 391

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: CS for SJR 526 with 1 amendment

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 484 with 2 amendments, SB 692 with 1 amendment, CS for SB 840

**The bills contained in the foregoing reports were referred to the Committee on Rules and Calendar under the original reference.**

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The Committee on Agriculture and Consumer Services recommends the following pass: SB 1834

The Committee on Banking and Insurance recommends the following pass: SB 1906 with 1 amendment

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 2104 with 1 amendment

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: SB 1126

The Committee on Criminal Justice recommends the following pass: SB 766

The Committee on Ethics and Elections recommends the following pass: SB 1422

The Committee on Finance and Taxation recommends the following pass: CS for SB 6 with 1 amendment, SB 26, SB 32, SB 56, SB 58, SB 66, SB 1212, SB 1266, SB 1522 with 1 amendment, CS for SB 1692 with 2 amendments

The Committee on Governmental Oversight and Productivity recommends the following pass: CS for SB 224 with 1 amendment

The Committee on Health, Aging and Long-Term Care recommends the following pass: CS for SB's 1442 and 1570

The Committee on Judiciary recommends the following pass: CS for SB 354, SB 1658

The Committee on Regulated Industries recommends the following pass: SB 1424

The Committee on Rules and Calendar recommends the following pass: SB 1714

**The bills contained in the foregoing reports were placed on the calendar.**

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The Committee on Agriculture and Consumer Services recommends the following not pass: SB 236

**The bill was laid on the table.**

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The Committee on Commerce and Economic Opportunities recommends a committee substitute for the following: SB 2034

**The bill with committee substitute attached was referred to the Committee on Agriculture and Consumer Services under the original reference.**

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The Committee on Education recommends committee substitutes for the following: SB 1046, SB 1640, SB 2054

**The bills with committee substitutes attached were referred to the Appropriations Subcommittee on Education under the original reference.**

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The Committee on Agriculture and Consumer Services recommends a committee substitute for the following: CS for SB 784

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1140

The Committee on Commerce and Economic Opportunities recommends a committee substitute for the following: SB 1624

The Committee on Comprehensive Planning, Local and Military Affairs recommends a committee substitute for the following: SB 1010

The Committee on Education recommends a committee substitute for the following: CS for SB 1612



The Committee on Ethics and Elections recommends a committee substitute for the following: SB 1374

The Committee on Finance and Taxation recommends committee substitutes for the following: CS for SB 1376, SB 1540, SB 1878

The Committee on Governmental Oversight and Productivity recommends committee substitutes for the following: SB 874, SB 876, SB 1368

The Committee on Transportation recommends committee substitutes for the following: SB 146, SB 1566, SB 1776

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Appropriations Subcommittee on General Government under the original reference.**

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The Committee on Health, Aging and Long-Term Care recommends committee substitutes for the following: CS for SB 1258, SB 1306, SB 1456, SB 2110

**The bills with committee substitutes attached were referred to the Appropriations Subcommittee on Health and Human Services under the original reference.**

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The Committee on Criminal Justice recommends committee substitutes for the following: SB 492, CS for SB 1092, SB 1196, SB 1348, SB 1534, SB 1932

**The bills with committee substitutes attached were referred to the Appropriations Subcommittee on Public Safety and Judiciary under the original reference.**

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The Committee on Health, Aging and Long-Term Care recommends a committee substitute for the following: SB 2146

**The bill with committee substitute attached was referred to the Committee on Commerce and Economic Opportunities under the original reference.**

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The Committee on Criminal Justice recommends a committee substitute for the following: Senate Bills 1864 and 2086

The Committee on Natural Resources recommends committee substitutes for the following: SB 1246, SB 2074

The Committee on Transportation recommends committee substitutes for the following: SB 626, SB 1268, SB 1276

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Comprehensive Planning, Local and Military Affairs under the original reference.**

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The Committee on Children and Families recommends a committee substitute for the following: SB 1778

The Committee on Transportation recommends a committee substitute for the following: SB 678

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Criminal Justice under the original reference.**

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The Committee on Commerce and Economic Opportunities recommends a committee substitute for the following: SB 1622

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 478

The Committee on Health, Aging and Long-Term Care recommends a committee substitute for the following: SB 1256

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Education under the original reference.**

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The Committee on Agriculture and Consumer Services recommends committee substitutes for the following: CS for SB 738, SB 1204, CS for SB 1758, SB 1922

The Committee on Commerce and Economic Opportunities recommends committee substitutes for the following: SB 1482, SB 1826

The Committee on Comprehensive Planning, Local and Military Affairs recommends committee substitutes for the following: Senate Bills 310 and 380, SB 1642

The Committee on Health, Aging and Long-Term Care recommends a committee substitute for the following: CS for SB 1208

The Committee on Natural Resources recommends a committee substitute for the following: SB 1376

The Committee on Transportation recommends a committee substitute for the following: SB 256

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Finance and Taxation under the original reference.**

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The Committee on Banking and Insurance recommends committee substitutes for the following: Senate Bills 182, 328 and 970, SB 1530, SB 2224, SB 2234

The Committee on Comprehensive Planning, Local and Military Affairs recommends a committee substitute for the following: CS for SB 1178

The Committee on Criminal Justice recommends committee substitutes for the following: SB 1914, SB 2036

The Committee on Finance and Taxation recommends a committee substitute for the following: SB 1836

The Committee on Health, Aging and Long-Term Care recommends committee substitutes for the following: SB 792, SB 904, SB 1726

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1562

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Governmental Oversight and Productivity under the original reference.**

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The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2080

The Committee on Children and Families recommends a committee substitute for the following: SB 1724

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Health, Aging and Long-Term Care under the original reference.**

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The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1926

The Committee on Commerce and Economic Opportunities recommends a committee substitute for the following: SB 1880

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1038

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 822

The Committee on Health, Aging and Long-Term Care recommends committee substitutes for the following: SB 1312, SB 2156

The Committee on Natural Resources recommends a committee substitute for the following: SB 1664

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.**

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The Committee on Natural Resources recommends a committee substitute for the following: SB 1662

**The bill with committee substitute attached was referred to the Committee on Regulated Industries under the original reference.**

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The Committee on Agriculture and Consumer Services recommends a committee substitute for the following: SB 202

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1722

The Committee on Children and Families recommends a committee substitute for the following: CS for SB 1016

The Committee on Criminal Justice recommends committee substitutes for the following: SB 1518, SB 1666

The Committee on Ethics and Elections recommends a committee substitute for the following: SB 2098

The Committee on Finance and Taxation recommends a committee substitute for the following: SB 800

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 972

The Committee on Rules and Calendar recommends a committee substitute for the following: CS for SJR 488

**The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.**

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## REPORTS OF SUBCOMMITTEES

The Appropriations Subcommittee on Education recommends the following pass: SB 330

The Appropriations Subcommittee on General Government recommends the following pass: CS for SB 350 with 1 amendment, SB 958, CS for SB 1120 with 1 amendment

The Appropriations Subcommittee on Health and Human Services recommends the following pass: SB 1230, CS for CS for SB 1258 with 1 amendment, SB 1278 with 1 amendment, CS for SB 1306

The Appropriations Subcommittee on Education recommends committee substitutes for the following: SB 302, SB 1684

The Appropriations Subcommittee on General Government recommends committee substitutes for the following: CS for SB 170, CS for SB 2008

**The bills contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.**

## INTRODUCTION AND REFERENCE OF BILLS

### FIRST READING

By Senators Burt and Rossin—

**SJR 2236**—A joint resolution proposing the creation of Section 20 of Article X of the State Constitution, relating to miscellaneous matters, to prescribe the use of moneys in the Lawton Chiles Endowment Fund.

—was referred to the Committees on Health, Aging and Long-Term Care; Appropriations Subcommittee on Health and Human Services; Appropriations; and Rules and Calendar.

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**SR 2238**—Introduced and adopted on April 3.

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By Senator Garcia—

**SB 2240**—A bill to be entitled An act relating to warranty associations; amending s. 634.011, F.S.; defining the term “additive product”; redefining the terms “motor vehicle service agreement” and “salesperson”; amending s. 634.044, F.S.; including part inventories among the allowable assets of a service agreement company; amending s. 634.137, F.S.; providing for submission of financial reports to the Department of Insurance in a computer-readable form; amending s. 634.171, F.S.; providing that a motor vehicle service agreement company is not required to be licensed as a salesperson to solicit, sell, issue, or otherwise transact the motor vehicle service agreements issued by the company; repealing s. 634.281, F.S., which provides that service agreement companies and their salespersons are subject to pt. X of ch. 626, F.S., relating to viatical settlements; creating s. 634.2815, F.S.; prohibiting engaging in any trade practice determined to be an unfair method of competition or an unfair or deceptive act or practice involving the business of motor vehicle service agreements; creating s. 634.282, F.S.; defining unfair methods of competition and unfair or deceptive acts or practices; creating s. 634.2825, F.S.; requiring vendors and lenders to separately state and identify the amount charged and to be paid for a motor vehicle service agreement; providing applicability; creating s. 634.283, F.S.; providing power of the Department of Insurance to examine and investigate the affairs of persons involved in the business of motor vehicle service agreements in the state; creating s. 634.284, F.S.; authorizing the department to conduct hearings with respect to specified prohibited practices; providing a fine for failure to comply with a subpoena or an order directing discovery; creating s. 634.285, F.S.; providing for the issuance of cease and desist orders by the department; providing specified penalties; creating s. 634.286, F.S.; providing for appeals of orders of the department; creating s. 634.287, F.S.; providing penalties for violation of a cease and desist order of the department; creating s. 634.288, F.S.; providing for civil liability; amending s. 634.301, F.S.; redefining the term “home warranty”; amending s. 634.3077, F.S.; eliminating specified assets to be deducted in computing the net asset requirement of a home warranty association; creating s. 634.3078, F.S.; specifying allowable assets and liabilities with respect to the determination of the financial condition of a service warranty association; amending s. 634.313, F.S.; providing for submission of annual statements and financial reports to the Department of Insurance in a computer-readable form; amending s. 634.318, F.S.; providing that a home warranty association is not required to be licensed as a salesperson to solicit, sell, issue, or otherwise transact the home warranty agreements issued by the association; amending s. 634.331, F.S.; revising terminology with respect to coverage of property for sale; amending s. 634.336, F.S.; including advertising, offering, or providing a free home warranty as an inducement to specified purchases or sales among acts or practices which constitute unfair methods of competition and unfair or deceptive acts or practices; amending s. 634.415, F.S.; providing for submission of statements and reports to the Department of Insurance in a computer-readable form; amending s. 634.419, F.S.; providing that a service warranty association is not required to be licensed as a sales representative to solicit, sell, or issue service warranty agreements issued by the association; amending s. 634.436, F.S.; including advertising, offering, or providing a free service warranty as an inducement to specified purchases or sales among acts or practices which constitute unfair methods of competition and unfair

or deceptive acts or practices; amending ss. 624.124, 628.4615, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Banking and Insurance; Transportation; Appropriations Subcommittee on General Government; and Appropriations.

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**SR 2242**—Not referenced.

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**SR 2244**—Introduced and adopted on April 4.

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**SR 2246**—Introduced and adopted on April 3.

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By Senator Cowin—

**SB 2248**—A bill to be entitled An act relating to nurses; providing an appropriation to the Department of Health; requiring private match of appropriated funds; providing for grants to hospitals for nurse recruitment and retention; providing for rules; providing eligibility criteria; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; Appropriations Subcommittee on Health and Human Services; and Appropriations.

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**SR 2250**—Not referenced.

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By Senator Garcia—

**SB 2252**—A bill to be entitled An act relating to community colleges; amending s. 240.359, F.S.; revising the procedure for determining state financial support and annual apportionment of state funds to each community college district; prescribing how funds are to be disbursed; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

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**Senate Resolutions 2254 - 2256**—Introduced and adopted on April 4.

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By Senator Miller—

**SB 2258**—A bill to be entitled An act relating to the West Manatee Fire and Rescue District, Manatee County; amending chapter 2000-401, Laws of Florida; specifying that the rates provided in the schedule of non-ad valorem assessments are caps on the rates that may be levied without legislative approval; providing an effective date.

—was referred to the Committee on Rules and Calendar.

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By Senator Miller—

**SB 2260**—A bill to be entitled An act relating to the Manatee County Fire Prevention Code Enforcement Board and the Manatee County Fire Marshal Appeals Board; amending section 3 of chapter 85-461, Laws of Florida, as amended; providing a revised date of repeal; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator Garcia—

**SB 2262**—A bill to be entitled An act relating to social and economic assistance; amending s. 409.814, F.S.; providing for Kidcare enrollment of certain immigrant children not eligible for specified federal programs; creating s. 409.9041, F.S.; requiring a state medical assistance program for certain immigrants not eligible for federal Medicaid benefits; amending s. 414.31, F.S.; requiring a state food stamp program for certain immigrants not eligible for the federal food stamp program; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; Banking and Insurance; Children and Families; Appropriations Subcommittee on Health and Human Services; and Appropriations.

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By Senator Burt—

**SB 2264**—A bill to be entitled An act relating to the City of Daytona Beach, Volusia County; providing for the lease of certain submerged lands to the city by the state; providing for the duration of the lease; specifying the amount of the lease; providing for the purpose of the lease; providing that the lease is contingent upon the city's acquisition of the pier situated upon the leased lands; providing additional terms of the lease; providing severability; providing an effective date.

—was referred to the Committee on Rules and Calendar.

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By Senator Peadar—

**SB 2266**—A bill to be entitled An act relating to workers' compensation; amending s. 61.13, F.S.; providing that workers' compensation benefits are not exempt from child-support claims; amending s. 61.30, F.S.; providing that workers' compensation benefits and settlements count as income under child-support guidelines; amending s. 440.02, F.S.; defining terms; amending s. 440.05, F.S.; substantially revising provisions relating to exemption from ch. 440, F.S.; amending s. 440.09, F.S.; providing guidelines for coverage; amending s. 440.10, F.S.; revising liability for compensation; revising criteria for conclusively presuming that a person is an independent contractor; amending s. 440.13, F.S.; providing maximum amounts that a family member may receive for nonprofessional attendant care; revising the standard for determining when an employer must pay for certain medical treatment; revising provisions relating to provider eligibility and authorization; allowing a carrier to provide certain financial incentives for reducing service costs and utilization; revising provisions relating to independent medical examinations; placing limitations on medical opinions in cases involving occupational disease or repetitive trauma; adding opinions of peer-review consultants to the list of admissible medical opinions; amending s. 440.134, F.S.; providing that workers' compensation managed care arrangements are optional rather than mandatory; amending s. 440.14, F.S.; redefining the term "substantially the whole of 13 weeks" for purposes of determination of pay; providing requirements that must be met if concurrent employment is used in calculating the average weekly wage; amending s. 440.15, F.S.; prescribing the elements of a compensable injury eligible for permanent total benefits; changing the period for which and the rate at which impairment income benefits are paid; providing that compensation is not payable for certain conditions; amending s. 440.151, F.S.; providing an evidentiary standard relating to occupational diseases; excluding certain conditions from the term "occupational disease"; amending s. 440.185, F.S.; changing procedures relating to carriers' filings with the division; amending s. 440.191, F.S.; allowing the Employee Assistance Office to participate in an early intervention program; providing that specified claims are to be determined by a judge of compensation claims, without the parties being represented by counsel; providing for review; providing for a petition for benefits; amending procedures relating to disputed issues; amending s. 440.192, F.S.; amending procedures for resolving benefit disputes; allowing the dismissal of a portion of a petition; replacing a notice of denial with a response to petition; amending s. 440.20, F.S.; providing procedures for a carrier to fulfill its obligation to pay compensation directly to the employee; extending the time limit for paying compensation; replacing the term "award" with the term "order"; providing circumstances in which a hearing is unnecessary; providing procedures applicable when a claimant is not represented by an attorney; amending s. 440.22, F.S.; providing that the exemption of workers' compensation claims from creditors does not

apply to child support or alimony; amending s. 440.25, F.S.; revising procedures for mediation and hearings; providing for a Motion to Dismiss for Lack of Prosecution; prohibiting the award of interest on unpaid medical bills; amending s. 440.29, F.S.; revising the list of admissible evidentiary items; amending s. 440.34, F.S.; prohibiting the payment of attorney's fees on specified issues; restricting the amounts of attorney's fees which may be awarded; amending s. 440.39, F.S.; providing that an employer has no duty to preserve certain evidence; amending s. 440.42, F.S.; revising provisions governing the expiration of insurance contracts or policies issued under ch. 440, F.S.; amending s. 440.45, F.S.; transferring the Office of the Judges of Compensation Claims from the Department of Labor and Employment Security to the Department of Management Services; providing that the head of the office is the Deputy Chief Judge of Compensation Claims; providing for evaluating a judge's performance; providing for the Governor to appoint such judges; prescribing judges' qualifications; providing a procedure for instigating and resolving complaints against judges; providing for rulemaking; requiring a report; amending s. 627.914, F.S.; requiring self-insurance funds, as well as other insurers, to follow certain rules and plans in recording and reporting loss, expense, and claims experience; amending the date by which an annual report must be filed; repealing s. 440.4416, F.S., relating to the Workers' Compensation Oversight Board; creating the Workers' Compensation Appeals Commission; providing for the Governor to select commissioners; providing for terms of office; providing for the Statewide Nominating Commission to review each commissioner's performance and to recommend for or against retention; providing for the appointment of associate commissioners; providing the commission with authority to review decisions of judges of compensation claims; providing that the commission is not an agency; providing for a presiding commissioner and prescribing his or her duties; providing for a clerk; providing a filing fee and exempting state agencies; providing for a seal; allowing the commission to destroy its obsolete records; allowing reimbursement for travel expenses; providing for rules governing practice and procedure; providing effective dates.

—was referred to the Committees on Banking and Insurance; Governmental Oversight and Productivity; Appropriations Subcommittee on General Government; and Appropriations.

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committee on Transportation; and Senator Geller—

**CS for SB 146**—A bill to be entitled An act relating to high-occupancy vehicle lanes; amending s. 316.0741, F.S.; allowing certain energy-saving vehicles to travel in such lanes, regardless of occupancy; providing an effective date.

By the Committee on Banking and Insurance; and Senators Silver, Geller and Clary—

**CS for SB's 182, 328 and 970**—A bill to be entitled An act relating to insurance; amending s. 627.062, F.S.; excluding the Florida Windstorm Underwriting Association from certain rate-filing arbitration provisions; amending s. 627.0628, F.S.; limiting authority of insurers to use findings of the Florida Commission on Hurricane Loss Projection Methodology in a rate filing under s. 627.062, F.S.; providing that such findings are not admissible and relevant in consideration of a rate filing by the Department of Insurance unless the department has access to all factors and assumptions used in developing the standards or models found by the commission to be reliable or accurate; amending s. 627.351, F.S.; modifying membership of the board of directors of the Florida Windstorm Underwriting Association; revising the criteria for limited apportionment companies; requiring insurers taking policies out of the association to pay certain amounts or take certain actions relative to the producing agent of record; deleting a requirement that certain insureds lose their eligibility for coverage by the association under certain circumstances; revising the immunity from liability for members of the board of the association; providing for assignment by the association of personal lines residential policies located in a deauthorized area to authorized insurers; providing criteria for distributing assigned policies; providing procedures; providing that assignment of a policy does not affect the producing agent's entitlement to unearned commission; providing for appeals of assignment of policies to the Department of Insurance;

providing that a failure to accept residential policies assigned by the association is a willful violation of the Florida Insurance Code; authorizing the department to adopt rules; amending s. 627.7013, F.S.; extending the operation of the law limiting the number of personal lines residential policies that may be terminated by an insurer for the purpose of reducing the insurer's exposure to hurricane claims; making legislative findings; amending s. 627.7014, F.S.; extending the operation of the law limiting the number of condominium association property insurance policies that may be terminated by an insurer for the purpose of reducing the insurer's exposure to hurricane claims; making legislative findings; providing an effective date.

By the Committee on Agriculture and Consumer Services; and Senators Lee and Latvala—

**CS for SB 202**—A bill to be entitled An act relating to the size of individual containers of malt beverages; amending s. 563.06, F.S.; removing current restrictions on containers under a specified size; creating s. 564.055, F.S.; providing certain size restrictions on containers in which cider is packaged and sold; providing an effective date.

By the Committee on Transportation; and Senators Mitchell, Latvala, Miller, Campbell, Clary, Sullivan, Dawson, Lawson and Klein—

**CS for SB 256**—A bill to be entitled An act relating to the transportation disadvantaged; amending s. 320.03, F.S.; imposing a fee for the registration of certain trucks, trailers, and motorcycles and for tag transfers and temporary tags to be deposited into the Transportation Disadvantaged Trust Fund; providing an effective date.

By the Committees on Appropriations; Criminal Justice; and Senator Silver—

**CS for CS for SB 268**—A bill to be entitled An act relating to DNA testing and analysis; amending s. 943.325, F.S.; requiring the Department of Law Enforcement to add certain felony offenses in a scheduled order to the DNA data banks's enumerated offenses; requiring the Department of Corrections to test certain violent felons in addition to those enumerated in the statute before being released from custody; providing effective dates.

By the Committee on Comprehensive Planning, Local and Military Affairs; and Senators Constantine and Carlton—

**CS for SB's 310 and 380**—A bill to be entitled An act relating to growth management; amending s. 163.3174, F.S.; requiring that the membership of all local planning agencies include a representative of the district school board; amending s. 163.3177, F.S.; revising elements of comprehensive plans; requiring intergovernmental coordination between local governments and district school boards; authorizing local governments to designate certain lands as rural land stewardship areas; providing requirements for amending the comprehensive plan to designate such areas; providing for landowners in such areas to convey development rights; providing for certain incentives; creating s. 163.31776, F.S.; providing legislative intent and findings with respect to a public educational facilities element; providing a schedule for adoption; providing for certain municipalities to be exempt; requiring certain interlocal agreements; requiring that the public educational facilities element include certain provisions; providing requirements for future land-use maps; providing a process for adopting the element; prohibiting a local government that fails to adopt the required element from amending its local comprehensive plan; creating s. 163.31777, F.S.; requiring school boards to report to the local government on school capacity; requiring a local government to deny a plan amendment or a request for rezoning if school capacity is unavailable; authorizing certain mitigation agreements; amending s. 163.3180, F.S.; revising provisions relating to concurrency; amending s. 163.3181, F.S.; providing for public notices and public participation in the comprehensive planning process; amending s. 163.3184, F.S.; revising definitions; revising provisions governing the process for adopting comprehensive plans and plan amendments;

amending s. 163.3187, F.S.; authorizing the adoption of a public educational facilities element notwithstanding certain limitations; amending s. 163.3191, F.S., relating to evaluation and appraisal of comprehensive plans; conforming provisions to changes made by the act; creating s. 163.3198, F.S.; requiring the state land planning agency to develop a uniform fiscal-impact-analysis model for evaluating the cost of infrastructure to support development; providing for appointment of a committee to advise the agency; requiring that the model be field tested; requiring a report to the Governor and the Legislature; providing an appropriation; amending s. 163.3215, F.S.; providing remedies for aggrieved or adversely affected parties; expanding the class of persons who may seek such remedies; amending s. 163.3244, F.S.; providing for a livable-communities certification program; providing for certification criteria; eliminating state review of certain local comprehensive plan amendments; creating s. 163.32446, F.S.; providing for a sustainable rural communities demonstration program; amending s. 186.008, F.S.; providing for revisions to the state comprehensive plan; amending s. 186.504, F.S.; adding an elected school board member to the membership of each regional planning council; amending s. 218.25, F.S.; prescribing limitations on the use of specified funds; amending s. 235.002, F.S.; revising legislative intent with respect to building educational facilities; amending s. 235.15, F.S.; revising requirements for educational plant surveys; revising requirements for review and validation of such surveys; amending s. 235.175, F.S.; requiring school districts to adopt education facilities plans; amending s. 235.18, F.S., relating to capital outlay budgets of school boards; conforming provisions to changes made by the act; amending s. 235.185, F.S.; requiring school district educational facilities plans; providing definitions; specifying projections and other information to be included in the plan; providing requirements for the work program; requiring district school boards to submit a tentative plan to the local government; providing for adopting and executing the plan; amending s. 235.188, F.S.; providing bonding requirements; amending s. 235.19, F.S.; exempting certain school boards and local governments from requirements for site planning; revising requirements for school boards; amending s. 235.193, F.S.; requiring interlocal agreements with respect to public educational facilities elements and plans; providing that failure to enter into such agreements will result in the withholding of certain funds for school construction; providing requirements for preparing a district education facilities work plan; repealing s. 235.194, F.S., relating to the general educational facilities report; amending s. 235.218, F.S.; requiring the SMART Schools Clearinghouse to adopt measures for evaluating the school district educational facilities plans; amending s. 235.231, F.S.; providing for the school board to authorize certain change orders for its district education facilities plan; amending s. 236.25, F.S., relating to the district school tax; conforming provisions to changes made by the act; creating s. 236.255, F.S.; creating the School District Guaranty Program; allowing district school boards to request the financial backing of the state or county in the issuance of certificates of participation; providing that such financial backing by the state or county is optional and contingent on funds set aside for that purpose; amending s. 380.06, F.S.; revising provisions governing developments of regional impact; providing for designation of a lead regional planning council; amending s. 380.0651, F.S.; revising standards for determining the necessity for a development-of-regional-impact review; requiring specified counties to adopt a service-delivery interlocal agreement with all municipalities and the school district and prescribing requirements for such agreements; requiring the Governor to report to the Legislature on using compelling state interest as a standard to limit state review of comprehensive plan amendments; providing an appropriation; providing a legislative finding that the act is a matter of great public importance; providing an effective date.

By the Committees on Appropriations; Children and Families; and Senators Horne, Campbell, Mitchell, Sanderson, Sullivan, Smith, Burt, Bronson, Peadar, Lee and Crist—

**CS for CS for SB 400**—A bill to be entitled An act relating to support of dependents; amending s. 827.06, F.S.; providing alternative punishment for nonsupport of dependents; providing a felony penalty for fourth or subsequent violations; providing for the amount of restitution due; providing requirements with respect to certain evidence; providing for satisfaction of the element of notice under certain circumstances; providing an effective date.

By the Committee on Governmental Oversight and Productivity; and Senators Pruitt, Crist and Posey—

**CS for SB 478**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; defining the term "public school member" for purposes of the system; amending s. 121.071, F.S.; providing contribution rates for public school members; amending s. 121.091, F.S.; providing retirement benefits payable to public school members; providing retroactive applicability; providing for funding of the revision of the Florida Retirement System by this act; providing a finding of important state interest; providing an effective date.

By the Committees on Rules and Calendar; Ethics and Elections; and Senator Rossin—

**CS for CS for SJR 488**—A joint resolution proposing amendments to Section 15 of Article III and Section 4 of Article VI of the State Constitution; revising the terms of office for certain elected constitutional officers; providing for staggered terms of office; revising limitations on the number of consecutive years during which certain elected constitutional officers may hold office.

By the Committee on Criminal Justice; and Senators Rossin and Crist—

**CS for SB 492**—A bill to be entitled An act relating to the offense of possessing a firearm at school; amending s. 230.235, F.S.; requiring that a child found to have committed the act of bringing a firearm to school, to any school function, or onto any school-sponsored transportation be assigned to a disciplinary program or second-chance school; requiring that the court retain jurisdiction over the child during the expulsion period; providing that sanctions pursuant to s. 985.231, F.S., apply if the child fails to comply with the requirements of the disciplinary program or second-chance school; providing an effective date.

By the Committee on Transportation; and Senator Saunders—

**CS for SB 626**—A bill to be entitled An act relating to driver improvement schools; amending s. 318.1451, F.S.; authorizing governmental entities to maintain and provide certain information regarding driver improvement schools and course providers; revising the duties of the Department of Highway Safety and Motor Vehicles; amending s. 322.0261, F.S.; requiring the department to approve and regulate certain courses for driver improvement schools; amending s. 322.095, F.S.; requiring the department to approve and regulate certain courses for driver improvement schools; providing an effective date.

By the Committee on Transportation; and Senator Klein—

**CS for SB 678**—A bill to be entitled An act relating to reckless driving; amending s. 316.192, F.S.; providing penalties for reckless driving resulting in damage to property or person or serious bodily injury; providing a definition; providing an effective date.

By the Committees on Agriculture and Consumer Services; Transportation; and Senator King—

**CS for CS for SB 738**—A bill to be entitled An act relating to off-highway vehicles; creating ch. 261, F.S.; creating the T. Mark Schmidt Off-Highway-Vehicle Safety and Recreation Act; providing legislative intent; providing definitions; creating the T. Mark Schmidt Off-Highway-Vehicle Recreation Advisory Committee; providing duties and responsibilities; providing for duties and responsibilities of the Department of Agriculture and Consumer Services; providing for rulemaking authority; providing for the publication and distribution of a guidebook; providing for the repair, maintenance, and rehabilitation of areas, trails, and lands; providing for contracts and agreements; providing criteria for recreation areas and trails; providing for the use of designated off-highway-vehicle funds within the Incidental Trust Fund of the Division

of Forestry, Department of Agriculture and Consumer Services; amending s. 316.2074, F.S.; revising the definition of the term "all-terrain vehicle"; prohibiting the use of all-terrain vehicles on public roadways in the state; creating the Florida Off-Highway-Vehicle Titling and Registration Act; providing legislative intent; providing definitions; providing for administration by the Department of Highway Safety and Motor Vehicles; providing for rules, forms, and notices; requiring certificates of title; providing for application for and issuance of certificates of title; providing for duplicate certificates of title; requiring the furnishing of a manufacturer's statement of origin; requiring registration; providing for application for and issuance of certificate of registration, registration number, and decal; providing for the registration period and for reregistration by mail; providing for change of interest and address; providing for duplicate registration certificate and decal; providing for fees; providing for disposition of fees; providing for refusal to issue and authority to cancel a certificate of title or registration; providing for crimes relating to certificates of title and registration decals; providing penalties; providing for noncriminal infractions; providing penalties; amending s. 375.315, F.S., relating to the registration of off-road vehicles; providing an appropriation; providing an effective date.

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By the Committees on Agriculture and Consumer Services; Commerce and Economic Opportunities; and Senators Geller and Crist—

**CS for CS for SB 784**—A bill to be entitled An act relating to consumer protection; amending s. 400.925, F.S.; revising definitions; amending s. 427.802, F.S.; revising definitions; amending s. 427.803, F.S.; revising warranty requirements; amending s. 427.804, F.S.; conforming references; deleting investigation and complaint processing requirements of the Department of Agriculture and Consumer Services; repealing s. 427.8041, F.S., relating to the registration of assistive technology device dealers; amending s. 496.411, F.S.; requiring charitable organizations or sponsors to display certain information on certain solicitation materials; amending s. 501.017, F.S.; requiring certain health studio contract refunds to be issued within a time certain; amending s. 501.019, F.S.; expanding application of felony penalties for knowingly making false representations for certain purposes; amending s. 539.001, F.S.; redefining the term "agency"; prohibiting pawnbrokers from knowingly accepting stolen property; correcting terminology; amending s. 559.801, F.S.; revising a definition; amending s. 559.803, F.S.; revising statements that must be placed in disclosure documents; specifying additional information required in certain business opportunity contract disclosure statements; amending s. 559.807, F.S.; revising application of requirements for certain securities relating to selling business opportunities; amending s. 559.809, F.S.; specifying an additional prohibited act by business opportunity sellers; reenacting s. 559.815, F.S., relating to penalties for violations of s. 559.809, F.S.; amending s. 559.902, F.S.; providing an additional exception for certain schools to application of certain motor vehicle repair shop provisions; amending s. 559.904, F.S.; revising certain requirements for motor vehicle repair shop registrations; amending s. 559.905, F.S.; providing additional estimated cost of repair requirements for written repair estimates; amending s. 559.9221, F.S.; revising Motor Vehicle Repair Advisory Council membership requirements; repealing s. 559.903(5), F.S., relating to a definition of minor repair service; providing an effective date.

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By the Committee on Health, Aging and Long-Term Care; and Senator Silver—

**CS for SB 792**—A bill to be entitled An act relating to the Agency for Health Care Administration; amending s. 409.904, F.S.; revising eligibility requirements for certain medical assistance payments; providing for the agency to pay for health insurance premiums for certain Medicaid-eligible persons; providing for the agency to pay for specified cancer treatment; amending s. 409.905, F.S.; prescribing conditions upon which an adjustment in a hospital's inpatient per diem rate may be based; prescribing additional limitations that may be placed on hospital inpatient services under Medicaid; amending s. 409.906, F.S.; providing for reimbursement and use-management reforms with respect to community mental health services; revising standards for payable intermediate care services; amending s. 409.908, F.S.; revising standards, guidelines, and limitations relating to reimbursement of Medicaid providers; amending s. 409.911, F.S.; updating data requirements and share rates for disproportionate share distributions; amending s. 409.9116, F.S.;

modifying the formula for disproportionate share/financial assistance distribution to rural hospitals; amending s. 409.91195, F.S.; providing for a restricted-drug formulary applicable to Medicaid providers; revising membership of the Medicaid Pharmaceutical and Therapeutics Committee; authorizing the agency to negotiate rebates from drug manufacturers; amending s. 409.912, F.S.; authorizing the agency to contract with children's provider networks for certain purposes; specifying conditions under which the agency may enter certain contracts with exclusive provider organizations; revising components of the agency's spending-control program; prescribing additional services that the agency may provide through competitive bidding; authorizing the agency to establish, and make exceptions to, a restricted-drug formulary; amending s. 409.9122, F.S.; providing for disproportionate assignment of certain Medicaid-eligible children to children's clinic networks; providing for assignment of certain Medicaid recipients to managed-care plans; amending s. 409.913, F.S.; requiring the agency to implement a pilot program to prevent Medicaid fraud and abuse with respect to pharmaceuticals; amending s. 409.915, F.S.; exempting counties from contributing toward the increased cost of hospital inpatient services due to elimination of Medicaid ceilings on certain types of hospitals and for special Medicaid reimbursement to hospitals; revising the level of county participation; providing an effective date.

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By the Committee on Finance and Taxation; and Senator Silver—

**CS for SB 800**—A bill to be entitled An act relating to the disposition of traffic fines; amending s. 318.21, F.S.; revising requirements for the use of funds collected from moving traffic violations; requiring that such funds be used to fund automation for law enforcement agencies in certain counties in which a municipality has been declared to be in a state of financial emergency; providing an effective date.

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By the Committee on Governmental Oversight and Productivity; and Senator Dyer—

**CS for SB 822**—A bill to be entitled An act relating to government accountability and legal proceedings; amending s. 11.066, F.S.; providing that property of the state or a monetary recovery made on behalf of the state is not subject to a lien; amending s. 112.3175, F.S.; providing that certain contracts executed in violation of part III of ch. 112, F.S., are presumed void or voidable; amending s. 287.058, F.S.; clarifying current requirement that contractor on certain state contracts must allow access to public records unless the records are exempt; amending s. 287.059, F.S.; providing additional requirements for contracts for private attorney services; providing requirements for contingency fee contracts; providing for binding arbitration in fee disputes; providing requirements if multiple law firms are parties to a contract; providing requirements for private attorneys with respect to maintaining documents and records and making such documents and records available for inspection; creating s. 60.08, F.S.; providing for injunctions without bond when sought by the state or its agencies; amending s. 86.091, F.S.; providing that the State of Florida, the Governor, any state department, agency, officer, or employee shall not be made a party in certain proceedings; amending s. 16.01, F.S.; clarifying that certain provisions are not intended to authorize the joinder of the Attorney General as party; amending s. 48.121, F.S.; clarifying that the section is not intended to authorize the joinder of the Attorney General or a state attorney as a party; amending s. 45.062, F.S.; providing additional requirements with respect to notification of certain settlements or orders; providing that certain settlements or orders shall be contingent upon and subject to legislative appropriation or statutory amendment; providing for the disposition of funds; providing legislative intent; amending s. 216.023, F.S.; providing for an inventory of all litigation in which an agency is involved which may require additional appropriations to the agency or amendments to the law under which the agency operates as a part of legislative budget requests; amending s. 284.385, F.S.; revising provisions relating to the reporting and handling of claims by the Department of Insurance covered by the State Risk Management Trust Fund; providing for severability; providing an effective date.

By the Committee on Governmental Oversight and Productivity; and Senator Garcia—

**CS for SB 874**—A bill to be entitled An act relating to information technology; amending s. 20.22, F.S.; creating the State Technology Office within the Department of Management Services; requiring the office to operate and manage the Technology Resource Center; amending s. 110.205, F.S.; providing that specified officers within the State Technology Office are exempt from career service; providing that the office shall set the salaries and benefits for such officers in accordance with the rules of the Senior Management Service; providing for the personal secretary to specified officers within the State Technology Office to be exempt from career service; providing for all managers, supervisors, and confidential employees of the State Technology Office to be exempt from career service; providing that the office shall set the salaries and benefits for those positions in accordance with the rules of the Selected Exempt Service; amending s. 186.022, F.S.; revising the entities required to annually develop and submit an information technology strategic plan; providing for the State Technology Office to administer and approve development of information technology strategic plans; amending s. 216.013, F.S.; revising provisions relating to the review of long-range-program plans for executive agencies by the Executive Office of the Governor; providing that the Executive Office of the Governor shall consider the findings of the State Technology Office with respect to the State Annual Report on Enterprise Resource Planning and Management and statewide policies adopted by the State Technology Office; amending s. 216.0446, F.S., relating to review of agency information resources management needs; eliminating the Technology Review Workgroup; providing for assumption of the duties of the Technology Review Workgroup by the State Technology Office; requiring the reporting of specified information to the Executive Office of the Governor; providing powers and duties of the State Technology Office; amending s. 216.181, F.S., relating to approved budgets for operations and fixed capital outlay; providing requirements with respect to an amendment to the original approved operating budget for specified information technology projects or initiatives; amending s. 216.235, F.S.; transferring specified responsibilities with respect to the Innovation Investment Program Act from the Department of Management Services to the Office of Tourism, Trade, and Economic Development within the Executive Office of the Governor; revising the membership of the State Innovation Committee; amending s. 216.292, F.S.; authorizing state agencies to transfer positions and appropriations for fiscal year 2001-2002 for the purpose of consolidating information technology resources to the State Technology Office; amending s. 282.005, F.S.; revising legislative findings and intent with respect to the Information Resources Management Act of 1997; providing that the State Technology Office has primary responsibility and accountability for information technology matters within the state; transferring, renumbering, and amending s. 282.303, F.S.; revising definitions; defining “information technology”; amending s. 282.102, F.S.; revising powers and duties of the State Technology Office; providing that the office shall be a separate budget entity within the Department of Management Services; providing that the Chief Information Officer shall be an agency head; authorizing the office to perform, in consultation with a state agency, the enterprise resource planning and management for the agency; authorizing the office to apply for, receive, and hold specified patents, copyrights, trademarks, and service marks; authorizing the office to purchase, lease, hold, sell, transfer, license, and dispose of specified real, personal, and intellectual property; providing for deposit of specified fees in the Law Enforcement Radio Operating Trust Fund; amending s. 282.103, F.S., to conform; authorizing the State Technology Office to grant an agency exemption from required use of specified SUNCOM Network services; amending ss. 282.104, 282.105, 282.106, F.S., to conform; amending s. 282.1095, F.S., relating to the state agency law enforcement radio system; providing conforming amendments; renaming the State Agency Law Enforcement Radio System Trust Fund as the Law Enforcement Radio Operating Trust Fund; requiring the office to establish policies, procedures, and standards for a comprehensive plan for a statewide radio communications system; eliminating provisions relating to establishment and funding of specified positions; amending s. 282.111, F.S., to conform; amending s. 282.20, F.S., relating to the Technology Resource Center; providing conforming amendments; removing provisions relating to the acceptance of new customers by the center; authorizing the center to spend funds in the reserve account of the Technology Enterprise Operating Trust Fund; amending s. 282.21, F.S., to conform; amending s. 282.22, F.S.; revising terminology; removing specified restrictions on the office’s authority to sell services; creating s. 282.23, F.S.; authorizing the State Technology Office, in consultation with the

Department of Management Services, to establish a State Strategic Information Technology Alliance; providing purposes of the alliance; providing for the establishment of policies and procedures; repealing s. 282.3041, F.S., which provides that the head of each state agency is responsible and accountable for enterprise resource planning and management within the agency; amending s. 282.3055, F.S.; authorizing the Chief Information Officer to appoint or contract for Agency Chief Information Officers to assist in carrying out enterprise resource planning and management responsibilities; amending s. 282.3063, F.S.; requiring Agency Chief Information Officers to prepare and submit an Agency Annual Enterprise Resource Planning and Management Report; amending s. 282.315, F.S.; renaming the Chief Information Officers Council as the Agency Chief Information Officers Council; revising the voting membership of the council; amending s. 282.318, F.S., to conform; amending s. 282.322, F.S.; eliminating provisions relating to the special monitoring process for designated information resources management projects; requiring the Enterprise Project Management Office of the State Technology Office to report on, monitor, and assess risk levels of specified high-risk technology projects; establishing a pilot project for a statewide eLibrary system; requiring certain state agencies to transfer described positions and administrative support personnel to the State Technology Office by specified dates; providing limits on the number of positions and administrative support personnel transferred; providing that the State Technology Office and the relevant agencies are authorized to request subsequent transfers of positions, subject to approval by the Legislative Budget Commission; providing requirements with respect to transferred resources that were dedicated to a federally funded system; providing appropriations; repealing s. 282.404, F.S.; abolishing the Florida Geographic Information Board within the State Technology Office; providing an effective date.

By the Committee on Governmental Oversight and Productivity; and Senator Garcia—

**CS for SB 876**—A bill to be entitled An act relating to state technology resource procurement; amending s. 287.042, F.S.; requiring the State Technology Office to assess technological needs of agencies and to evaluate contracts; amending s. 287.057, F.S.; requiring state agencies to participate in the on-line procurement program; requiring the State Technology Office to determine criteria for exceptions to participation; authorizing the collection of fees for use of the procurement program; authorizing the creation of State Strategic Information Technology Alliances; amending s. 287.0731, F.S.; requiring the Department of Management Services to consult with the State Technology Office in the establishment of a permanent team for contract negotiations; providing an effective date.

By the Committee on Health, Aging and Long-Term Care; and Senators Garcia and Silver—

**CS for SB 904**—A bill to be entitled An act relating to public records and meetings; providing an exemption from the public records law for certain records relating to supplemental drug rebates; providing an exemption from the public meetings law for certain portions of meetings of the Medicaid Pharmaceutical and Therapeutics Committee; providing for future legislative review and repeal; providing a statement of public necessity; providing a contingent effective date.

By the Committee on Governmental Oversight and Productivity; and Senator Bronson—

**CS for SB 972**—A bill to be entitled An act relating to water management district fiscal matters; amending s. 373.536, F.S.; revising notice and hearing provisions relating to the adoption of a final budget for the water management districts; specifying to whom a copy of the water management districts’ tentative budgets must be sent for review; specifying the contents of the tentative budgets; requiring the Executive Office of the Governor to file with the Legislature a report summarizing its review of the water management districts’ tentative budgets and displaying the adopted budget allocations by program area; requiring the water management districts to submit certain budget documents to specified officials; amending s. 373.079, F.S.; deleting a requirement

that the water management districts submit a 5-year capital improvement plan and fiscal report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Secretary of Environmental Protection; repealing s. 373.507, F.S., relating to postaudits and budgets of water management districts and basins; repealing s. 373.589, F.S., relating to audits of water management districts; amending s. 373.501, F.S.; providing procedures for the transfer of funds for proposed water management district projects; amending s. 373.59, F.S.; authorizing the use of the Water Management Lands Trust Fund for specified purposes other than acquisition; deleting a prospective repeal; authorizing the South Florida Water Management District to acquire specified mining and quarry lands; providing an effective date.

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By the Committee on Comprehensive Planning, Local and Military Affairs; and Senator Garcia—

**CS for SB 1010**—A bill to be entitled An act relating to public libraries; amending s. 257.17, F.S.; extending the repeal date of a provision authorizing operating grants; requiring the Division of Library and Information Services to facilitate the extension of free library services through interlocal agreement; requiring reports; providing an effective date.

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By the Committees on Children and Families; Judiciary; and Senator Rossin—

**CS for CS for SB 1016**—A bill to be entitled An act relating to guardianship; amending s. 744.387, F.S.; raising the amount of a claim that may be settled by a natural guardian of a minor without the necessity of appointment of a legal guardian; amending s. 744.301, F.S.; raising the amount of a claim that may be settled by a natural guardian of a minor without the necessity of appointment of a guardian ad litem; providing an effective date.

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By the Committee on Criminal Justice; and Senator Sanderson—

**CS for SB 1038**—A bill to be entitled An act relating to homicide of an unborn child; amending s. 782.071, F.S.; revising the offense of “vehicular homicide” to include the killing of an unborn quick child by any injury to the mother which would be vehicular homicide if it resulted in the death of the mother; providing a right of action for civil damages; providing a definition; providing penalties; providing that the act does not authorize the prosecution of a person for conduct relating to a lawful abortion or for medical treatment; amending s. 782.09, F.S.; providing that killing an unborn quick child by injury to the mother which would be murder in any degree if it resulted in the death of the mother is murder in the same degree; providing penalties; providing that the unlawful killing of an unborn quick child by injury to the mother which would be manslaughter if it resulted in the death of the mother is manslaughter; providing penalties; providing that the death of the mother does not bar prosecution under specified circumstances; providing that the act does not authorize the prosecution of a person for conduct relating to a lawful abortion or for medical treatment; amending ss. 921.0022, 960.03, F.S., relating to the Criminal Punishment Code offense severity ranking chart and the definition of “crime” with respect to the Florida Crimes Compensation Act; conforming provisions to changes made by the act; providing an effective date.

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By the Committee on Education; and Senator Pruitt—

**CS for SB 1046**—A bill to be entitled An act relating to student financial assistance; creating s. 240.4061, F.S.; creating the Teach Florida Scholarship Loan Program; providing a purpose; defining eligible institutions and programs of study; authorizing summer-term receipt of funds; authorizing part-time enrollment; specifying summer institutes to be developed by the Department of Education; providing eligibility criteria; providing for repayment of a scholarship loan; providing a definition; providing renewal and restoration requirements; setting a limit upon repayment authority; authorizing the Department of Education to adopt rules; providing an effective date.

By the Committees on Criminal Justice; Banking and Insurance; and Senators Campbell and Crist—

**CS for CS for SB 1092**—A bill to be entitled An act relating to insurance fraud; providing legislative findings; creating s. 456.0375, F.S., relating to clinics; defining the term “clinic”; imposing registration requirements for certain clinics; providing for medical directors; providing for enforcement; amending s. 626.989, F.S., relating to Department of Insurance investigation of insurance fraud; revising immunity provisions; amending s. 627.732, F.S., relating to definitions; defining the terms “medically necessary” and “broker”; amending s. 627.736, F.S.; revising provisions relating to required personal injury protection benefits; deleting provisions specifying what medical payments insurance pays; revising provisions for charges for treatments; providing for pre-suit notice; amending s. 627.739, F.S.; providing circumstances for which an insurer is not required to pay any charge; amending s. 817.234, F.S.; revising provisions relating to false and fraudulent insurance claims; amending s. 817.505, F.S.; providing penalties; amending s. 324.021, F.S.; conforming provisions to changes made by the act; providing effective dates.

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By the Committee on Banking and Insurance; and Senator Villalobos—

**CS for SB 1140**—A bill to be entitled An act relating to self-insurers; amending s. 440.38, F.S.; transferring operation of provisions requiring the securing of payment of compensation by employers from the Division of Workers' Compensation of the Department of Labor and Employment Security to the Florida Self-Insurer's Guaranty Association, Incorporated, and the Department of Insurance; revising and clarifying requirements and procedures; providing powers and duties of the association and the departments; providing for allocation or payment of state funds to the association for certain purposes; providing rulemaking authority; amending s. 440.385, F.S.; revising and clarifying provisions relating to the association's creation, board of directors, powers and duties, insolvency fund, and plan of operation; providing additional powers of the association; transferring the powers and duties of the Department of Labor and Employment Security relating to the association to the Department of Insurance and revising such powers and duties; providing additional powers and duties of the Department of Insurance; providing for oversight of the association by the department; deleting certain provisions relating to detection and prevention of employer insolvencies; amending s. 440.386, F.S.; providing parity for the association with the Department of Insurance relating to proceedings for delinquency, liquidation, and conservation of assets; amending s. 440.24, F.S.; providing for the sale of securities on deposit to satisfy a compensation order; providing an effective date.

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By the Committees on Comprehensive Planning, Local and Military Affairs; Transportation; and Senator Sebesta—

**CS for CS for SB 1178**—A bill to be entitled An act relating to high-speed rail; creating s. 341.821, F.S.; creating the Florida High-Speed Rail Authority; providing membership, terms, organization, and reimbursement of expenses; providing duties of the authority; relating to specified conflicts of interest with respect to authority members; assigning the authority to the Department of Transportation for administrative purposes; providing for future legislative review and repeal; creating s. 341.822, F.S.; providing powers and duties of the authority; authorizing the authority to seek federal funds; providing applicable criteria; requiring submittal of a report; authorizing the department to issue requests for information and proposals; authorizing the authority to request assistance from the private sector; providing for agency assistance; providing an appropriation; providing an effective date.

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By the Committee on Appropriations; and Senator Sullivan—

**CS for SB 1190**—A bill to be entitled An act relating to higher education; providing Legislative intent; redesignating St. Petersburg Junior College as “St. Petersburg College”; requiring accreditation; providing a mission; providing for students and fees; providing conditional authority to offer baccalaureate-degree-level programs; authorizing certain baccalaureate-degree programs and a process for increasing their number;



establishing a governing board and a coordinating board; providing for dispute resolution; providing for certain employment classifications; providing for the acquisition of land, buildings, and equipment; authorizing the power of eminent domain; providing for state funding; requiring a cost-accounting process; providing an effective date.

By the Committee on Criminal Justice; and Senators Smith and Crist—

**CS for SB 1196**—A bill to be entitled An act relating to sentencing; amending s. 921.0022, F.S.; authorizing the state and defendant to waive preparation of a worksheet and scoresheet under the Criminal Punishment Code and for the court to impose a sentence; requiring that the scoresheet be filed within a specified period after sentencing; providing an effective date.

By the Committee on Agriculture and Consumer Services; and Senator Bronson—

**CS for SB 1204**—A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; amending s. 370.06, F.S.; recognizing the Railroad Retirement Board for making certain disability determinations; amending s. 370.13, F.S.; renaming depredation endorsements as depredation permits; providing permit requirements; amending s. 370.19, F.S.; providing for legislative appointments to the Atlantic States Marine Fisheries Commission; amending s. 370.20, F.S.; providing for legislative appointments to the Gulf States Marine Fisheries Commission; amending s. 370.25, F.S.; conforming the responsibilities for issuing artificial-reef permits with transfer of duties to the Department of Environmental Protection; amending s. 372.561, F.S.; recognizing the Railroad Retirement Board for making certain disability determinations; amending s. 374.977, F.S.; conforming the responsibilities for posting and maintaining regulatory waterway markers with the transfer of duties to the Fish and Wildlife Conservation Commission; providing an effective date.

By the Committees on Health, Aging and Long-Term Care; Banking and Insurance; and Senator Latvala—

**CS for CS for SB 1208**—A bill to be entitled An act relating to health insurance; amending s. 627.6482, F.S.; amending definitions used in the Florida Comprehensive Health Association Act; amending s. 627.6486, F.S.; revising the criteria for eligibility for coverage from the association; providing for cessation of coverage; requiring all eligible persons to agree to be placed in a case-management system; amending s. 627.6487, F.S.; redefining the term “eligible individual” for purposes of guaranteed availability of individual health insurance coverage; providing that a person is not eligible if the person is eligible for coverage under the Florida Comprehensive Health Association; amending s. 627.6488, F.S.; revising the membership of the board of directors of the association; revising the reimbursement of board members and employees; requiring that the plan of the association be submitted to the department for approval on an annual basis; revising the duties of the association related to administrative and accounting procedures; requiring an annual financial audit; specifying grievance procedures; establishing a premium schedule based upon an individual's family income; deleting requirements for categorizing insureds as low-risk, medium-risk, and high-risk; authorizing the association to place an individual with a case manager who determines the health care system or provider; requiring an annual review of the actuarial soundness of the association and the feasibility of enrolling new members; requiring a separate account for policyholders insured prior to a specified date; requiring appointment of an executive director with specified duties; authorizing the board to restrict the number of participants based on inadequate funding; limiting enrollment; specifying other powers of the board; amending s. 627.649, F.S.; revising the requirements for the association to use in selecting an administrator; amending s. 627.6492, F.S.; requiring insurers to be members of the association and to be subject to assessments for operating expenses; limiting assessments to specified maximum amounts; specifying when assessments are calculated and paid; allowing certain assessments to be charged by the health insurer directly to each insured, member, or subscriber and to not be subject to department

review or approval; amending s. 627.6498, F.S.; revising the coverage, benefits, covered expenses, premiums, and deductibles of the association; requiring preexisting condition limitations; providing that the act does not provide an entitlement to health care services or health insurance and does not create a cause of action; limiting enrollment in the association; repealing s. 627.6484, F.S., relating to a prohibition on the Florida Comprehensive Health Association from accepting applications for coverage after a certain date; making a legislative finding that the provisions of this act fulfill an important state interest; providing that the amendments to s. 627.6487, F.S., do not take effect unless approved by the U.S. Health Care Financing Administration; providing effective dates.

By the Committee on Natural Resources; and Senator King—

**CS for SB 1246**—A bill to be entitled An act relating to state reserves; creating s. 258.166, F.S.; establishing the North Florida State Reserve; directing the Division of Recreation and Parks of the Department of Environmental Protection to develop multipurpose recreational opportunities and provide supervision of the area; allowing public hunting; authorizing the Division of State Lands to acquire adjacent or contiguous property; requiring the Division of State Lands to notify persons with easements in the area; requiring a report; authorizing and directing the construction of certain facilities, subject to appropriations; providing an effective date.

By the Committee on Health, Aging and Long-Term Care; and Senator Campbell—

**CS for SB 1256**—A bill to be entitled An act relating to nursing education; prohibiting the Board of Nursing from developing any rule relating to faculty/student clinical ratios until a specified time; requiring the Board of Nursing and the Department of Education to submit to the Legislature an implementation plan detailing the impact and cost of any such proposed rule change; providing an effective date.

By the Committees on Health, Aging and Long-Term Care; Children and Families; and Senator Mitchell—

**CS for CS for SB 1258**—A bill to be entitled An act relating to behavioral health services; providing legislative findings with respect to providing mental health and substance-abuse-treatment services; permitting the Department of Children and Family Services and the Agency for Health Care Administration to contract for the establishment of two behavioral health service delivery strategies to test methods and techniques for coordinating, integrating, and managing the delivery of mental health services and substance-abuse-treatment services for persons with emotional, mental, or addictive disorders; requiring a managing entity for each service delivery strategy; requiring that costs be shared by the Department of Children and Family Services and the Agency for Health Care Administration; specifying the goals of the service delivery strategies; specifying the target population of persons to be enrolled under each strategy; requiring a continuing care system; requiring an advisory body for each demonstration model; requiring certain cooperative agreements; providing reporting requirements; requiring an independent entity to evaluate the service delivery strategies; requiring annual reports; creating a Behavioral Health Services Integration Workgroup; requiring the Secretary of the Department of Children and Family Services to appoint members to the Workgroup; providing authority for a transfer of funds to support the Workgroup; requiring the Workgroup to report to the Governor and the Legislature; creating s. 394.499, F.S.; authorizing the Department of Children and Family Services, in consultation with the Agency for Health Care Administration, to establish children's behavioral crisis unit demonstration models to provide integrated emergency mental health and substance abuse services to persons under 18 years of age at facilities licensed as children's crisis stabilization units; providing for standards, procedures, and requirements for services; providing eligibility criteria; requiring the department to report on the initial demonstration models; providing for expanding the demonstration models; providing for independent evaluation and report; providing rulemaking authority; amending s. 394.66, F.S.; providing legislative intent; creating s. 394.741, F.S.; requiring the Agency for Health Care Administration and the Department of Children

and Family Services to accept accreditation in lieu of its administrative and program monitoring under certain circumstances; amending s. 394.90, F.S.; requiring the Agency for Health Care Administration to accept accreditation in lieu of its onsite licensure reviews; amending s. 397.411, F.S.; requiring the Department of Children and Family Services to accept accreditation in lieu of its onsite licensure reviews; amending s. 397.403, F.S.; conforming provisions; providing an effective date.

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By the Committee on Transportation; and Senator Wasserman Schultz—

**CS for SB 1268**—A bill to be entitled An act relating to motorized scooters; amending s. 316.003; defining the term “motorized scooter”; amending s. 316.2065, F.S.; providing motorized scooter operating regulations; providing an effective date.

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By the Committee on Transportation; and Senator Lee—

**CS for SB 1276**—A bill to be entitled An act relating to driver's licenses; amending s. 322.02, F.S.; providing legislative intent with regard to the delivery of driver's license services; authorizing county tax collectors to serve as exclusive agents of the Department of Highway Safety and Motor Vehicles; amending s. 322.135, F.S.; providing an application process for county tax collectors to serve as exclusive agents; creating the Cost Determination and Allocation Task Force; establishing the duties and responsibilities of the task force; providing for the development of transition plans to transfer certain responsibilities to tax collectors; providing an effective date.

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By the Committee on Health, Aging and Long-Term Care; and Senators Sanderson and Miller—

**CS for SB 1306**—A bill to be entitled An act relating to Medicaid assistance for breast and cervical cancer treatment; creating the Mary Brogan Breast and Cervical Cancer Early Detection Program Act; amending s. 409.904, F.S.; authorizing Medicaid reimbursement for medical assistance provided to certain persons for treatment of breast or cervical cancer; providing an effective date.

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By the Committee on Health, Aging and Long-Term Care; and Senator Saunders—

**CS for SB 1312**—A bill to be entitled An act relating to public health; amending ss. 39.201, 63.0423, 383.50, 827.035, F.S.; expanding the type of personnel and facilities that may accept abandoned newborns; amending s. 232.465, F.S.; expanding the type of personnel that may supervise nonmedical school district personnel; providing technical corrections; amending s. 381.0059, F.S.; revising background-screening requirements for school health service personnel; amending s. 381.026, F.S., relating to the Florida Patient's Bill of Rights and Responsibilities; replacing references to the term “physical handicap” with the term “handicap”; amending ss. 382.003, 382.004, 382.013, 382.016, 382.0255, F.S.; modifying provisions relating to vital records; amending s. 383.402, F.S.; modifying the annual report date for child abuse death reviews; amending s. 401.113, F.S.; providing for use of funds in the Emergency Medical Services Trust Fund for injury prevention programs; amending s. 401.27, F.S.; authorizing the department to define by rule the equivalent of cardiopulmonary resuscitation courses for emergency medical technicians and paramedics; exempting emergency medical services examination questions and answers from discovery; providing conditions for introduction in administrative proceedings; repealing s. 404.056(2), F.S., relating to the Florida Coordinating Council on Radon Protection; amending s. 404.056, F.S.; deleting an obsolete environmental radiation soil-testing requirement; clarifying rulemaking authority; amending s. 742.10, F.S.; requiring a voluntary acknowledgement of paternity for a child born out of wedlock to be notarized; amending s. 743.0645, F.S., relating to consent to medical care or treatment of a minor; providing that a power of attorney to provide such consent includes the power to consent to surgical and general anesthesia services; amending s. 381.0056, F.S.; providing requirements for school health programs

funded by health care districts or certain health care entities; creating s. 391.037, F.S.; providing that the furnishing of medical services by state employees under specified conditions does not constitute a conflict of interest; providing an effective date.

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By the Committee on Criminal Justice; and Senator Crist—

**CS for SB 1348**—A bill to be entitled An act relating to youthful offenders; amending s. 958.04, F.S., relating to judicial disposition of youthful offenders; providing that the court may not sentence as youthful offenders certain offenders who have pled nolo contendere or guilty to, or been found guilty of, capital felonies, life felonies, first-degree felonies, or second-degree felonies involving the use or threatened use of force or violence; increasing the maximum period of commitment of a youthful offender to the custody of the Department of Corrections or maximum period of incarceration or placement under supervision on probation or community control; removing legislative declaration with respect to construction of a basic training program facility; reenacting s. 958.03(5), F.S., relating to the definition of the term “youthful offender,” s. 958.046, F.S., relating to placement in county-operated boot camp programs for youthful offenders, and s. 958.11(4), F.S., relating to designation of institutions and programs for youthful offenders and assignment from youthful offender institutions and programs, to incorporate the amendment to s. 958.04, F.S., in references thereto; amending s. 951.231, F.S.; conforming an obsolete reference to provisions relating to mandatory participation in the youthful offender basic training program under certain circumstances; amending s. 958.045, F.S., relating to youthful offender basic training program; revising the sanctions for a youthful offender in the basic training program who becomes unmanageable; allowing the department to revoke the offender's gain-time, to terminate the offender's participation in the program, and to return the offender to the general population of inmates in the correctional system; providing for alternative placement on probation or community control of an offender who has completed the basic training program; providing for the offender to remain on community control upon release from a community residential program; providing for revocation of community control and sentencing of the offender if the offender violates the conditions of community control; conforming terminology; providing an effective date.

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By the Committee on Governmental Oversight and Productivity; and Senator Cowin—

**CS for SB 1368**—A bill to be entitled An act providing adoption benefits for employees of the state or water management districts; amending s. 110.152, F.S.; specifying employees who are entitled to receive such benefits for adopting a special-needs child; deleting references to water management district employees; prescribing the manner of establishing the amount of such benefits; amending s. 110.15201, F.S.; providing that rules for administering such adoption benefits may provide for an application process; deleting a reference to water management district employees; amending s. 215.32, F.S.; requiring the Comptroller and the Department of Management Services to transfer funds to water management districts to pay monetary benefits to water management district employees; creating s. 373.6065, F.S.; providing child-adoption monetary benefits to water management district employees; providing for priority in the allocation of funds; providing an effective date.

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By the Committee on Ethics and Elections; and Senator Carlton—

**CS for SB 1374**—A bill to be entitled An act relating to elections; repealing s. 100.091, F.S., to eliminate the second primary election; repealing s. 100.096, F.S., relating to the holding of special elections in conjunction with the second primary election, to conform; amending ss. 97.055, 97.071, 97.1031, 98.081, F.S., relating to restrictions on changing party affiliation between primary elections, to conform; amending s. 99.063, F.S.; adjusting the date to designate a Lieutenant Governor running mate, to conform; amending s. 101.62, F.S.; eliminating advance absentee ballots, to conform; amending ss. 97.021, 99.061, 99.095, 99.103, 100.061, 100.081, 100.111, 100.141, 101.252, 102.112, 102.168, 103.021, 103.022, 103.091, 105.031, 105.041, 105.051, 106.07, 106.08, 106.29, F.S.; revising references, to conform; creating s. 102.014, F.S.;

providing for pollworker recruitment and training; repealing s. 102.012(7), (8), and (9), F.S., relating to pollworker training and election boards; amending s. 101.131, F.S., to eliminate a requirement to call out names of voters; amending s. 98.255, F.S.; providing for voter education; amending s. 97.021, F.S.; modifying and creating definitions; amending s. 101.151, F.S.; modifying specifications for ballots; requiring the Department of State to adopt rules prescribing uniform ballots; repealing ss. 100.071, 101.141, 101.181, 101.191, 101.251, 101.5609, F.S., relating to the specification and form of ballots, to conform; amending s. 103.101, F.S., to conform; amending s. 582.18, F.S.; conforming a cross-reference; creating s. 101.595, F.S.; requiring supervisors of elections and the Department of State to report on overvotes and undervotes following the general election; requiring the Division of Elections to review the voting systems certification standards to ensure that new technologies are available and appropriately certified for use; amending s. 101.5603, F.S.; deleting references to punchcard marking and voting devices; amending s. 101.5604, F.S.; providing for the use of precinct tabulation electronic or electromechanical voting systems in each county; amending s. 101.5606, F.S.; providing additional requirements for electronic and electromechanical voting systems; prohibiting the use of punchcard voting systems; amending s. 101.5614, F.S.; removing references to canvassing returns at central or regional locations, to conform; amending s. 100.341, F.S.; eliminating a requirement that a bond referendum ballot be on white paper; amending ss. 100.361, 101.21, 101.24, 101.292, 101.341, 101.43, 101.49, 101.58, 101.64, 101.71, 102.166, 104.30, 138.05, F.S.; removing provisions relating to voting machines and updating references, to conform; repealing ss. 101.011, 101.27, 101.28, 101.29, 101.32, 101.33, 101.34, 101.35, 101.36, 101.37, 101.38, 101.39, 101.40, 101.445, 101.45, 101.46, 101.47, 101.54, 101.55, 101.56, F.S., relating to voting machines, to conform; amending s. 102.111, F.S.; changing the composition of the Elections Canvassing Commission; revising deadlines for county returns; amending s. 102.168, F.S.; revising the grounds for an election contest; amending s. 97.041, F.S.; providing for automatic restoration of former felons' right to vote following completion and satisfaction of sentence of incarceration and community supervision; providing conditions on such automatic restoration; amending ss. 97.052, 97.053, 98.0975, F.S., to conform; prohibiting a member of the Elections Canvassing Commission or a member of a county canvassing board from rendering a post-election decision that may affect the outcome of any race in which the member publicly endorsed or solicited contributions; amending s. 101.031, F.S.; providing for a Voter's Bill of Rights and Responsibilities; providing responsibilities of supervisors of elections; amending s. 98.015, F.S.; providing for the nonpartisan election of supervisors of elections; amending s. 105.031, F.S.; requiring candidates for supervisor of elections to pay a qualifying fee, subscribe to an oath, and file certain items in order to qualify for election; amending s. 105.035, F.S.; providing alternative procedures for candidates for supervisor of elections to qualify for election; amending s. 105.041, F.S.; providing for the form of the ballot for candidates for supervisor of elections; providing for write-in candidates for supervisor of elections; amending s. 105.051, F.S.; providing for determination of election to office of candidates for supervisor of elections; amending s. 105.061, F.S.; providing that supervisors of elections are to be elected by vote of the qualified electors of the county; amending s. 105.08, F.S.; providing requirements for candidates for supervisor of elections with respect to campaign contributions and expenses and their reporting; providing an appropriation from the appropriations act to implement provisions of the bill; providing an appropriation for the design of a statewide voter registration database; providing effective dates.

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By the Committee on Natural Resources; and Senator Laurent—

**CS for SB 1376**—A bill to be entitled An act relating to mining; amending s. 378.035, F.S.; reserving certain funds in the Nonmandatory Land Reclamation Trust Fund for use by the Department of Environmental Protection for reclaiming lands; authorizing the department to use funds from the trust fund for the purpose of closing certain abandoned phosphogypsum stack systems; limiting the period of operation of the program; requiring the Bureau of Mine Reclamation to review the sufficiency of the trust fund to support certain objectives and make reports; amending s. 378.601, F.S.; deleting provisions exempting certain mining operations from review as developments of regional impact; amending s. 403.4154, F.S.; defining the terms "phosphogypsum stack system" and "process wastewater"; authorizing the Department of Environmental Protection to take action to abate or reduce any imminent hazard caused by a phosphogypsum stack system; requiring the depart-

ment to recover moneys from the owner or operator of the system; providing for attorney's fees and costs; authorizing the department to impose a lien for the recovery of such moneys; imposing certain fees upon an owner or operator who has not demonstrated financial responsibility; providing for the refund of the fee upon closure of the phosphogypsum stack; authorizing the department to expend moneys from the Nonmandatory Land Reclamation Trust Fund to close abandoned phosphogypsum stack systems; providing for a lien for the recovery of such moneys; amending s. 403.4155, F.S.; requiring the department to review certain rules and determine the adequacy of the rules; providing an effective date.

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By the Committees on Finance and Taxation; Natural Resources; and Senator Laurent—

**CS for CS for SB 1376**—A bill to be entitled An act relating to mining; amending s. 378.035, F.S.; reserving certain funds in the Nonmandatory Land Reclamation Trust Fund for use by the Department of Environmental Protection for reclaiming lands; authorizing the department to use funds from the trust fund for the purpose of closing certain abandoned phosphogypsum stack systems; limiting the period of operation of the program; requiring the Bureau of Mine Reclamation to review the sufficiency of the trust fund to support certain objectives and make reports; amending s. 378.601, F.S.; deleting provisions exempting certain mining operations from review as developments of regional impact; amending s. 403.4154, F.S.; defining the terms "phosphogypsum stack system" and "process wastewater"; authorizing the Department of Environmental Protection to take action to abate or reduce any imminent hazard caused by a phosphogypsum stack system; requiring the department to recover moneys from the owner or operator of the system; providing for attorney's fees and costs; authorizing the department to impose a lien for the recovery of such moneys; imposing certain fees upon an owner or operator who has not demonstrated financial responsibility; providing for the refund of the fee upon closure of the phosphogypsum stack; authorizing the department to expend moneys from the Nonmandatory Land Reclamation Trust Fund to close abandoned phosphogypsum stack systems; providing for a lien for the recovery of such moneys; amending s. 403.4155, F.S.; requiring the department to review certain rules and determine the adequacy of the rules; providing an effective date.

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By the Committee on Health, Aging and Long-Term Care; and Senators Saunders, Peaden, Campbell, Pruitt, Smith, Latvala, Dawson, Brown-Waite and Wasserman Schultz—

**CS for SB 1456**—A bill to be entitled An act relating to health care facilities; creating the Florida Alzheimer's Training Act; amending s. 400.4178, F.S.; revising training standards for employees of assisted living facilities that provide care for residents with Alzheimer's disease or related disorders; creating ss. 400.1755, 400.4786, 400.55715, and 400.626, F.S.; prescribing training standards for employees of nursing homes, home health agencies, adult day care centers, and adult family-care homes, respectively, that provide care for persons with Alzheimer's disease or related disorders; providing for training fees; prescribing duties of the Department of Elderly Affairs; directing the department to convene a working group to develop training guidelines; providing for membership; providing for compliance with guidelines within a certain time period; requiring dementia-specific care providers to be included in community care service systems; providing an effective date.

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By the Committee on Commerce and Economic Opportunities; and Senator Bronson—

**CS for SB 1482**—A bill to be entitled An act creating the Aerospace Infrastructure Reinvestment Act; providing legislative findings; amending s. 212.20, F.S.; providing that taxes collected by dealers conducting business at a fixed location at the Kennedy Space Center or Cape Canaveral Air Station on admissions thereto and on sales of tangible personal property at such business shall be separately returned and distributed by the Department of Revenue to the Florida Commercial Space Financing Corporation and the Spaceport Florida Authority and used for funding aerospace infrastructure; providing duties of the corporation, the

authority, the Office of Tourism, Trade, and Economic Development, and the Space Industry Committee; providing a definition; providing for rules; providing an effective date.

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By the Committee on Criminal Justice; and Senator Constantine—

**CS for SB 1518**—A bill to be entitled An act relating to transportation of prisoners; amending s. 944.17, F.S.; changing references from “sheriff” to “chief correctional officer”; providing an effective date.

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By the Committee on Banking and Insurance; and Senator Geller—

**CS for SB 1530**—A bill to be entitled An act relating to viaticals; amending s. 626.9911, F.S.; revising definitions; amending s. 626.9921, F.S.; providing for approval of forms; amending s. 626.99235, F.S.; providing for applicability to purchase in the secondary market; amending s. 626.99236, F.S.; requiring certain purchases to be handled by an independent third-party trustee; amending s. 626.9924, F.S.; revising procedures for tracking the insured; amending s. 626.99245, F.S.; clarifying the application of licensing requirements to viatical settlement providers; providing an effective date.

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By the Committee on Criminal Justice; and Senator Crist—

**CS for SB 1534**—A bill to be entitled An act relating to the Department of Corrections; amending s. 921.161, F.S.; revising requirements for the department with respect to calculating credit allowed to a defendant for time served; revising requirements for certifying time served; amending s. 944.28, F.S.; providing for a disciplinary hearing officer rather than a disciplinary committee to determine forfeiture of gain-time; amending s. 944.35, F.S.; requiring that the department’s Inspector General review the use of force by department employees; providing for the Inspector General to determine the appropriateness of the force used; amending ss. 944.012, 944.02, 944.023, 944.026, 944.033, 944.09, 944.095, 944.10, 944.11, 944.115, 944.14, 944.151, 944.23, 944.24, 944.31, 944.32, 944.39, 944.402, 944.44, 944.45, 944.46, 944.47, 944.611, 944.613, 944.801, 944.803, 944.8031, F.S., relating to the state correctional system; amending ss. 945.025, 945.0311, 945.091, 945.215, 945.21501, 945.21502, 945.27, 945.35, 945.6031, 945.6037, 945.72, 945.75, F.S., relating to the Department of Corrections; amending ss. 946.002, 946.205, 946.25, 946.40, 946.504, 946.513, F.S., relating to inmate labor and correctional work programs; redesignating correctional institutions as “prisons” and community correctional centers as “work-release centers”; amending ss. 413.051, 414.40, 948.03, 951.23, 958.04, F.S., relating to vending operations, the Stop Inmate Fraud Program, probation and community control, county and municipal detention facilities, and youthful offenders; conforming cross-references to changes made by the act; amending s. 948.09, F.S.; revising the amount of the surcharge paid to the department by offenders placed on community control; providing an effective date.

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By the Committee on Finance and Taxation; and Senator Carlton—

**CS for SB 1540**—A bill to be entitled An act relating to trust funds; creating s. 202.193, F.S.; creating the Local Communications Services Tax Clearing Trust Fund within the Department of Revenue; providing for sources of moneys and purposes; providing for annual carryforward of fund balances; providing that the trust fund is exempt from constitutional termination; providing a contingent effective date.

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By the Committee on Regulated Industries; and Senator Burt—

**CS for SB 1562**—A bill to be entitled An act relating to public-records exemptions; creating s. 569.215; providing that proprietary confidential business information used to negotiate or verify annual tobacco settlement payments are exempt from public records requirements; providing a statement of public necessity; providing an effective date.

By the Committee on Transportation; and Senator Sebesta—

**CS for SB 1566**—A bill to be entitled An act relating to the Tampa-Hillsborough County Expressway System; amending s. 348.565, F.S.; authorizing the finance of a specified project through issuance of revenue bonds; amending s. 373.4137, F.S.; providing mitigation requirements on certain expressway authorities; amending s. 348.0012, F.S.; providing an exemption to the Florida Expressway Authority Act; amending ss. 348.754, 348.7543, F.S.; expanding the use of bond financing; amending ss. 348.7544, 348.7545, F.S.; authorizing refinancing with bonds; amending s. 348.755, F.S.; authorizing the issuance of bonds; amending s. 348.765, F.S.; providing the section does not repeal, rescind, or modify s. 215.821, F.S.; providing an effective date.

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By the Committees on Education; Banking and Insurance; and Senators Latvala and King—

**CS for CS for SB 1612**—A bill to be entitled An act relating to the Hurricane Loss Mitigation Program; amending s. 215.559, F.S.; specifying the amount of funds to be used to inspect and improve tie-downs for manufactured/mobile homes; requiring the Department of Community Affairs to contract with an administrative entity; revising the process for establishing an advisory council; providing for an annual report; extending the future repeal of the section; providing an effective date.

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By the Committee on Commerce and Economic Opportunities; and Senator King—

**CS for SB 1622**—A bill to be entitled An act relating to workforce development; amending s. 239.514, F.S., relating to the Workforce Development Capitalization Incentive Grant Program; providing additional purposes for a grant awarded under the program; authorizing the use of program funds to upgrade and expand workforce development programs to meet provisions required by law; authorizing use of grant funds for recurring instructional costs upon approval of the Postsecondary Education Planning Commission; replacing obsolete reference to Jobs and Education Partnership with reference to Workforce Florida, Inc.; amending s. 239.213, F.S.; revising provisions relating to vocational-preparatory instruction; changing the date for the submission of a report; providing an effective date.

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By the Committee on Commerce and Economic Opportunities; and Senator King—

**CS for SB 1624**—A bill to be entitled An act relating to trust funds; creating the Welfare Transition Trust Fund to be administered by the Agency for Workforce Innovation; providing for sources of moneys and purposes; providing for disposition of trust fund balances; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

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By the Committee on Education; and Senator Clary—

**CS for SB 1640**—A bill to be entitled An act relating to education; amending s. 231.6135, F.S.; exempting regional educational consortia from certain requirements to become eligible for grants to create professional development academies; providing an effective date.

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By the Committee on Comprehensive Planning, Local and Military Affairs; and Senator Latvala—

**CS for SB 1642**—A bill to be entitled An act relating to homestead exemption; amending s. 196.031, F.S.; providing that a person who is receiving or claiming the benefit of an ad valorem tax exemption or a tax credit that requires permanent residency in another state for eligibility is not eligible for homestead exemption; providing an exception; providing an effective date.

By the Committee on Natural Resources; and Senator Laurent—

**CS for SB 1662**—A bill to be entitled An act relating to Lake Okeechobee Protection Program; amending s. 373.4595, F.S.; authorizing a line item on utility sewer rates to cover wastewater residual treatment and disposal in certain counties; providing exemption from requirements of the Public Service Commission; providing an effective date.

By the Committee on Natural Resources; and Senator Laurent—

**CS for SB 1664**—A bill to be entitled An act relating to environmental control; amending s. 369.25, F.S.; granting the Department of Environmental Protection additional enforcement powers for aquatic plant control; amending ss. 403.121, 403.131, 403.727, 403.860, F.S.; revising judicial and administrative remedies for violations of environmental laws; providing for administrative penalties; requiring the Department of Environmental Protection to report to the Legislature; providing for legislative review; providing an effective date.

By the Committee on Criminal Justice; and Senator Laurent—

**CS for SB 1666**—A bill to be entitled An act relating to sex crimes; amending ss. 794.011, 796.07, 800.04, 825.1025, 827.071, 847.001, F.S., relating to sexual battery, prostitution, lewd or lascivious offenses, sexual performance by a child, and obscene literature and other material; defining the terms “vaginal” and “vagina” for purposes of laws defining certain prohibited sexual activities; creating s. 775.251, F.S.; defining the terms “dangerous sexual felony offender” and “felony sexual offense”; creating s. 775.252, F.S.; requiring certain offenders convicted of specified felony sexual offenses to be sentenced as dangerous sexual felony offenders; creating s. 775.253, F.S.; requiring the court, prior to acceptance of a plea, to advise a defendant convicted of a felony sexual offense of sentencing as a dangerous sexual felony offender; creating s. 775.254, F.S.; establishing a separate proceeding for determining whether an offender is a dangerous sexual felony offender; setting forth procedures and indicating what evidence may be considered; authorizing direct appeal of sentence; identifying factors used for making a determination of whether an offender is a dangerous sexual felony offender; creating s. 775.255, F.S.; providing penalties; providing that the determination that an offender is not a dangerous sexual felony offender does not preclude a future determination that the offender is a sexually violent predator under ch. 394, F.S.; creating s. 775.256, F.S.; providing for release of otherwise confidential records to a state attorney or state experts for use in determining whether the offender is a dangerous sexual felony offender; providing effective dates.

By the Committee on Banking and Insurance; and Senator Horne—

**CS for SB 1722**—A bill to be entitled An act relating to surety bonds; amending s. 625.071, F.S.; modifying the amount of reserve which surety insurers may maintain on bail bonds and judicial bonds in lieu of the unearned premium reserve required under s. 625.051, F.S.; providing financial reporting requirements; providing an effective date.

By the Committee on Children and Families; and Senator Klein—

**CS for SB 1724**—A bill to be entitled An act relating to children and families; creating s. 409.9072, F.S.; requiring the Agency for Health Care Administration to develop mechanisms for certification of local funds as state match for Medicaid projects, to maximize federal Title XIX funding for children and families; providing for return of funds to the local entities; requiring prior approval of local projects by the agency and the Department of Children and Family Services; specifying project requirements; providing for modification of the Medicaid state plan; providing for federal waivers; providing responsibilities of the agency with respect to administrative and service costs, monitoring of service delivery, and standards and quality of care; authorizing the department and the agency to adopt rules; requiring an annual report; providing an effective date.

By the Committee on Health, Aging and Long-Term Care; and Senator Saunders—

**CS for SB 1726**—A bill to be entitled An act relating to public records; providing for release of such information under certain circumstances; creating s. 430.105, F.S.; providing for confidentiality and exemption from the public records law for information relating to clients of the Department of Elderly Affairs, clients of service providers contracting with the Department of Elderly Affairs, and certain elders receiving services through programs administered by or funded by the Department of Elderly Affairs; requiring consent for disclosure; providing for future legislative review and repeal; providing a statement of public necessity; providing an effective date.

By the Committees on Agriculture and Consumer Services; Natural Resources; and Senators Laurent, Posey, Lawson, Bronson, Smith, Brown-Waite, Pruitt, Mitchell, Constantine and Sanderson—

**CS for CS for SB 1758**—A bill to be entitled An act relating to rural land conservation; creating the “Rural and Family Lands Protection Act”; defining terms; creating s. 570.70, F.S.; providing legislative intent; creating s. 570.71, F.S.; providing for the purchase of rural-lands-protection easements by the Department of Agriculture and Consumer Services; providing criteria; providing for resource conservation agreements and agricultural protection agreements; prescribing allowable land uses; providing for an application process; providing for an enforceable option to purchase property; directing the department to seek funds from federal sources; amending s. 201.15, F.S.; providing for the distribution of certain taxes to the department to be used for the program; creating s. 215.619, F.S.; providing for bonds; amending s. 570.207, F.S.; providing uses for funds from the Conservation and Recreation Lands Program Trust Fund; providing an effective date.

By the Committee on Transportation; and Senator Jones—

**CS for SB 1776**—A bill to be entitled An act relating to small aircraft transportation; providing legislative intent with respect to NASA’s Small Aircraft Transportation System; providing an appropriation; providing an effective date.

By the Committee on Children and Families; and Senators Cowin and Crist—

**CS for SB 1778**—A bill to be entitled An act relating to acts of violence; providing a short title; amending s. 39.301, F.S.; requiring that staff who conduct child protective investigations receive training on removing a perpetrator of domestic violence from the home by use of injunction; creating s. 741.283, F.S.; requiring that the court order a person to serve a minimum term of imprisonment as part of any sentence imposed for an offense of domestic violence that intentionally caused bodily harm to another person; providing an exception if the person is incarcerated for such offense; amending s. 784.03, F.S.; providing that a person commits felony battery if the offense is a second or subsequent conviction of any type of battery offense; creating s. 938.08, F.S.; requiring that the court impose an additional surcharge for any offense of domestic violence and other assault, battery, and stalking offenses; providing for deposit of a portion of the surcharge into the Domestic Violence Trust Fund; providing for the clerk of the court to retain a service charge; requiring that a portion of the surcharge be used to train law enforcement personnel in combating domestic violence; amending s. 948.03, F.S.; requiring that a person convicted of an offense of domestic violence complete a batterers’ intervention program; requiring that the offender pay the cost of attending the program; amending s. 741.01, F.S.; authorizing the Executive Office of the Governor to use a specified amount from the Domestic Violence Trust Fund to fund a public-awareness campaign on domestic violence; amending s. 741.281, F.S.; requiring the court to impose the batterers’ intervention program as a condition of probation; providing for an exception; requiring that the batterers’ intervention program be certified; providing an effective date.

By the Committee on Commerce and Economic Opportunities; and Senators Mitchell and Klein—

**CS for SB 1826**—A bill to be entitled An act relating to rural development; creating the Florida Rural Heritage Act; providing legislative findings; providing definitions; providing for the designation of a Rural Heritage Area; providing for a community-based planning process; specifying guidelines for Rural Heritage Area plans; providing procedure for adoption of a plan; providing for economic incentives, reports, and technical assistance; creating the Rural Heritage Grant Program to assist local governments in adopting Rural Heritage Areas, to be administered by the Department of Community Affairs; providing for priority of funding; requiring the Department of Community Affairs to adopt rules; providing for development of a nature-and-heritage-based tourism business micro-loan program; providing for establishment of a revolving loan fund; providing for wireless community-based network technology pilot programs to be established by the State Technology Office; providing for pilot projects to encourage diversification of agricultural products and marketing to be developed by the Department of Agriculture and Consumer Services; providing for review and evaluation by the Office of Program Policy Analysis and Government Accountability; amending s. 163.3187, F.S.; providing conditions for adoption of local comprehensive plans for rural activity centers; amending s. 187.201, F.S.; modifying goals of the State Comprehensive Plan to include housing for specified persons in rural areas and development of nature-based tourism; providing a policy of fostering integrated and coordinated community planning efforts; providing support for rural communities in developing nature-and-heritage-based tourism enterprises; providing support for landowners who wish their lands to remain in agricultural use; amending s. 212.096, F.S.; providing a credit against sales tax for businesses located in an enterprise zone within a rural county or city as defined; amending s. 220.181, F.S.; providing enterprise-zone jobs credits for businesses within jurisdiction of a rural local government; amending s. 290.0055, F.S.; providing a condition for designating communities within the jurisdiction of a rural local government as an enterprise zone; amending s. 420.507, F.S.; modifying powers of the Florida Housing Finance Corporation; providing that specified provisions are subject to appropriations or the availability of agency funds; providing an effective date.

By the Committee on Finance and Taxation; and Senator Carlton—

**CS for SB 1836**—A bill to be entitled An act relating to public records; amending s. 213.053, F.S.; providing an exemption from public records requirements for information contained in specified documents received by the Department of Revenue in connection with ch. 202, F.S., the Communications Services Tax Simplification Law; authorizing the department to provide certain information relative to said chapter to local governments imposing a local communications services tax; providing for application of confidentiality and penalty provisions to such local governments; providing for future review and repeal; providing a finding of public necessity; providing a contingent effective date.

By the Committee on Criminal Justice; and Senators Bronson, Burt and Crist—

**CS for SB's 1864 and 2086**—A bill to be entitled An act relating to criminal justice; amending s. 943.031, F.S.; renaming the Florida Violent Crime Council as the Florida Violent Crime and Drug Control Council; adding members; revising powers and duties of the council, particularly with respect to money laundering and with drug control; limiting funding that agencies may receive from the council; amending s. 943.042, F.S.; redesignating the Violent Crime Emergency Account as the Violent Crime Emergency and Drug Control Strategy Implementation Account; prescribing uses that may be made of moneys from the account; limiting funding that agencies may receive from the account; requiring rules that provide funding criteria; providing for disqualification of an agency from funding eligibility and for demand for reimbursement by an agency for failure to use funds as authorized; creating s. 943.0582, F.S.; authorizing the expunction under certain circumstances of the arrest record of a minor who successfully completes a prearrest, postarrest, or teen court diversion program; amending s. 985.3065, F.S.; providing for a law enforcement agency or school district to establish a postarrest diversion program; providing for expunction of the arrest of a minor who completes such program; amending ss. 943.0585, 943.059,

F.S.; prescribing additional criminal violations for which a criminal history record may not be expunged or sealed; amending s. 943.325, F.S.; authorizing use of biological specimens other than blood for DNA analysis; authorizing use of trained, nonmedical personnel in collecting specimens; providing for collection of specimens from persons who are required to provide specimens but have never been incarcerated; providing immunity from liability for persons assisting in collecting specimens; authorizing collection of specimens at remote sites; amending s. 760.40, F.S.; exempting tests performed under s. 943.325, F.S., from requirements for informed consent to genetic testing; creating s. 843.167, F.S.; prohibiting the interception of police communications for certain purposes; prohibiting disclosure of police communications; providing presumptions; providing penalties; providing an effective date.

By the Committee on Finance and Taxation; and Senators Horne, Carlton, Sanderson, Peaden, Pruitt, Geller, Latvala and Campbell—

**CS for SB 1878**—A bill to be entitled An act relating to tax on communications services; creating s. 202.105, F.S.; providing legislative findings and intent with respect to the Communications Services Tax Simplification Law; amending s. 202.11, F.S.; revising and providing definitions; amending s. 202.12, F.S.; specifying the rates for the state tax; revising provisions relating to application of said tax; providing for application of the tax rate to private communications services and mobile communications services; providing the initial method for determining the sales price of private communications services and a revised method effective January 1, 2004; relieving service providers of certain liability; revising provisions relating to direct-pay permits; creating s. 202.155, F.S.; providing special rules for mobile communications services; providing duties of home service providers and the Department of Revenue in determining a customer's place of primary use and determining the correct taxing jurisdiction; relieving service providers of certain liability; providing requirements with respect to identifying and separately stating the sales price of mobile communications services not subject to the taxes administered under ch. 202, F.S.; amending s. 202.16, F.S.; revising provisions relating to responsibility for payment of taxes and tax amounts and brackets; amending s. 202.17, F.S.; specifying that registration as a dealer of communications services does not constitute registration for purposes of placing and maintaining communications facilities in municipal or county rights-of-way; removing the registration fee for such dealers; revising provisions relating to resale certificates; amending s. 202.18, F.S.; revising provisions relating to distribution of a portion of the proceeds of the tax on direct-to-home satellite service and to distribution of local communications services taxes and adjustment of such distribution; amending s. 202.19, F.S.; revising provisions which authorize imposition of local communications services taxes and provide for use of revenues and certain credits; specifying the maximum rates of such taxes; providing the initial method for determining the sales price of private communications services for local communications services taxes and for the discretionary sales surtax under s. 212.055, F.S., that is imposed as a local communications services tax, and providing a revised method effective January 1, 2004; relieving service providers of certain liabilities; revising requirements relating to the direct-pay permit required to qualify for the limitation on local communications services taxes on interstate communications services; providing for application of local communications services taxes to mobile communications services; amending s. 202.20, F.S.; specifying the local communications services tax conversion rates; revising requirements with respect to adjustment by a local government of its tax rate when tax revenues are less than received from replaced revenue sources; authorizing local governments to increase the tax rate established by the Revenue Estimating Conference and approved by the Legislature to the maximum tax rate so established and approved; amending s. 202.21, F.S.; conforming language; amending s. 202.22, F.S., relating to determination of local tax situs for a local communications services tax; revising requirements relating to use of enhanced zip codes; revising requirements relating to certification or recertification of a database by the department; specifying effect when certain applications for certification are not approved or denied within the required time period; revising provisions relating to a dealer's duty to update a database and to the amount of dealer's credit allowed when an alternative method of assigning service addresses is used; amending s. 202.23, F.S.; providing requirements for refunds when excess communications services tax has been paid; creating s. 202.231, F.S.; providing requirements for provision of information by the department to local taxing jurisdictions; amending s. 202.24, F.S., relating to limitations on local taxes and fees imposed on dealers of communications

services; deleting language relating to legislative review; repealing s. 202.26(3)(i), F.S., which provides for adoption of rules by the department with respect to collection of information no longer required; amending s. 202.27, F.S.; deleting provisions which allow certain dealers making sales in more than one location to file a single return; amending s. 202.28, F.S.; including persons collecting the gross receipts tax in provisions relating to the dealer's credit; amending s. 202.37, F.S.; providing requirements for audits conducted with respect to local communications services taxes; creating s. 202.38, F.S.; providing for credits or refunds under ch. 202, F.S., for certain bad debts or adjustments with respect to taxes under ch. 212, F.S., or ch. 166, F.S., billed prior to October 1, 2001, and no longer subject to tax; creating s. 202.381, F.S.; providing for a transition from previous taxes to tax changes contained in this act and in ch. 2000-260, Laws of Florida; amending s. 203.01, F.S.; specifying the rate of the gross receipts tax on communications services; amending s. 212.031, F.S.; replacing the term "franchised cable television company" with the term "provider of communications services, as defined in s. 202.11"; amending s. 337.401, F.S.; revising dates for notice of election by municipalities and counties regarding imposition of permit fees to the department; providing that a municipality or county that elects not to impose permit fees on communications services providers may increase its local tax rate by resolution; specifying that registration does not establish certain rights for placement or maintenance of a communications facility; requiring notice to the department; repealing s. 337.401(3)(f) and (g), F.S., relating to the authority of municipalities and counties to request in-kind requirements from cable service providers and to negotiate cable service franchises, and revising and relocating such provisions under that section; authorizing municipalities and counties to change their election regarding imposition of permit fees and providing for adjustment of tax rates; providing notice requirements; revising definitions; specifying continued application of s. 166.234, F.S., relating to administration and rights and remedies, to municipal public service taxes on telecommunications services imposed prior to October 1, 2001; providing for payment of franchise fees by cable or telecommunications service providers with respect to services provided prior to October 1, 2001; repealing s. 52 of ch. 2000-260, Laws of Florida, which provides for a legislative study during the 2001 session; repealing s. 58(1) of ch. 2000-260, Laws of Florida, which provides for the June 30, 2001, repeal of those administrative sections of ch. 202, F.S., which have taken effect; repealing s. 58(2) of ch. 2000-260, Laws of Florida, which provides for the June 30, 2001, repeal of the following provisions prior to their October 1, 2001, effective date: the remainder of ch. 202, F.S., which provides for the taxation of the sale of communications services; other statutory amendments which provide related administrative provisions; provisions which remove levy of the municipal public service tax on telecommunication services; provisions which provide for a gross receipts tax on communications services to be applied pursuant to ch. 202, F.S.; provisions which remove the imposition of tax under ch. 212, F.S., on telecommunication service; provisions relating to the authority of counties and municipalities to regulate the placement of telecommunications facilities in roads and rights-of-way and to impose permit fees and franchise fees; and provisions relating to the application of amendments made by ch. 2000-260, Laws of Florida; repealing s. 59 of ch. 2000-260, Laws of Florida, which, effective June 30, 2001, amends s. 337.401, F.S., relating to the authority of counties and municipalities to regulate the placement of telecommunications facilities in roads and rights-of-way and to impose permit fees and franchise fees, to remove amendments made by ch. 2000-260, Laws of Florida, which took effect January 1, 2001; amending s. 212.20, F.S.; deleting a reference to the Mail Order Sales Tax Clearing Trust Fund; amending s. 212.202, F.S.; renaming the Mail Order Sales Tax Clearing Trust Fund; providing effective dates.

By the Committee on Commerce and Economic Opportunities; and Senator Klein—

**CS for SB 1880**—A bill to be entitled An act relating to corporations; amending s. 607.01401, F.S.; redefining the term "electronic transmission" to include telegrams, cablegrams, telephone transmissions, and transmissions through the Internet for purposes of proxy voting; amending s. 607.0722, F.S.; specifying those persons who may vote on behalf of a shareholder; authorizing the appointment of a proxy by electronic transmission; deleting provisions limiting the period during which an appointment of proxy is irrevocable; authorizing the use of certain copies or reproductions in lieu of the original writing or electronic transmission; authorizing a corporation to adopt bylaws authorizing additional

procedures for shareholders to use in exercising certain rights; providing an effective date.

By the Committee on Criminal Justice; and Senator Smith—

**CS for SB 1914**—A bill to be entitled An act relating to juvenile justice; amending s. 20.316, F.S.; revising the juvenile justice continuum to include community-based residential commitment programs; deleting a requirement that information systems of the Department of Juvenile Justice support the Juvenile Justice Advisory Board; amending s. 228.041, F.S.; authorizing additional teacher planning days for nonresidential programs of the Department of Juvenile Justice; amending s. 230.23161, F.S.; providing legislative goals with respect to educational services within department programs; amending s. 435.04, F.S.; revising requirements for level-2 screening standards for persons in positions of trust or responsibility; providing requirements for background investigations for employees of the Department of Juvenile Justice; creating s. 943.0582, F.S.; providing for prearrest, postarrest, or teen court diversion program expunction in certain circumstances; amending s. 985.3065, F.S.; providing for postarrest diversion programs; providing for expunction of records; amending s. 943.325, F.S.; requiring DNA analysis of persons who have committed certain offenses and who are transferred to the state under the Interstate Compact on Juveniles; amending ss. 984.01, 985.01, F.S., relating to personnel standards and screening; requiring the Department of Juvenile Justice and the Department of Children and Family Services to ensure that certain contractors are of good moral character; prohibiting the Department of Juvenile Justice from exempting certain persons from a disqualification from employment; amending s. 985.03, F.S.; revising definitions; defining the term "respite" for purposes of ch. 985, F.S.; amending ss. 985.207, 985.213, F.S.; clarifying circumstances under which a juvenile is taken into custody and assessed for placement; requiring the parent or guardian to provide certain information; amending s. 985.21, F.S.; requiring the parent or guardian of a juvenile to provide certain information to the juvenile probation officer; amending s. 985.215, F.S.; providing for the clerk of the court to collect and maintain certain fees; authorizing placing a juvenile into secure detention under certain circumstances for a specified period; requiring the parent or guardian to provide certain information; amending s. 985.227, F.S.; revising requirements for state attorneys with respect to reporting direct-file guidelines; amending ss. 985.231, 985.233, F.S.; revising certain requirements for testing a juvenile for the use of alcohol or controlled substances; providing for the clerk of the court to collect and maintain certain fees; requiring the parent or guardian to provide certain information; amending s. 985.305, F.S.; revising services provided under the early delinquency intervention program; amending s. 985.31, F.S., relating to serious or habitual juvenile offenders; conforming provisions to changes made by the act; amending s. 985.3155, F.S.; revising requirements for the multiagency plan for vocational education; amending s. 985.316, F.S.; revising conditions under which a juvenile may be released on conditional release; amending s. 985.404, F.S.; clarifying conditions under which a juvenile may be transferred; creating s. 985.4043, F.S.; providing certain payments made under a provider service contract to be deposited into the Administrative Trust Fund; amending s. 985.417, F.S.; revising conditions for transferring a juvenile from the Department of Corrections to the supervision of the Department of Juvenile Justice; amending s. 14 of ch. 2000-134, Laws of Florida; revising requirements for monitoring and supervising juvenile offenders under a pilot program; creating s. 985.42, F.S.; authorizing the secretary to designate certain employees as law enforcement officers; creating s. 985.422, F.S.; authorizing the department to take necessary action to collect or settle unpaid fees or judgments; providing effective dates.

By the Committee on Agriculture and Consumer Services; and Senator Geller—

**CS for SB 1922**—A bill to be entitled An act relating to agriculture and consumer services; amending s. 120.80, F.S.; providing that marketing orders under ch. 527, F.S., are not rules; amending s. 125.27, F.S.; authorizing the Department of Agriculture and Consumer Services to lease or lend equipment to governmental entities that have fire/rescue responsibilities; limiting liability for civil damages resulting from use or possession of such equipment; amending s. 201.15, F.S.; authorizing the department to adopt rules regarding the distribution of funds for best



management practices; amending s. 316.228, F.S.; revising requirements for lamps on projecting loads; amending s. 320.08, F.S.; redefining the term "goat" to include certain additional farm equipment for purposes of the annual license tax imposed on trucks; amending s. 403.714, F.S.; deleting a requirement that the department coordinate development of uniform product specifications for compost used by state agencies; amending s. 487.041, F.S.; authorizing the department to require and review data relating to the claims of pesticide products used as preventive treatment for termites; authorizing the department to adopt rules; amending s. 500.09, F.S.; authorizing fees for certain reinspection of food establishments; amending s. 500.12, F.S.; increasing the maximum fee for a food permit; limiting the use of such fees; amending ss. 502.012, 502.014, F.S.; revising references relating to the pasteurized milk ordinance and milk sanitation; deleting a requirement that a copy of a federal temporary marketing permit for milk and milk products be forwarded to the department; amending s. 502.053, F.S.; clarifying milk testing requirements; amending s. 502.091, F.S.; authorizing the department to forgo the grading of certain milk products in an emergency; providing for labeling; amending s. 503.041, F.S.; providing that an attempted or purported transfer of a frozen dessert plant license is grounds for its suspension or revocation; repealing ss. 504.21, 504.22, 504.23, 504.24, 504.25, 504.26, 504.27, 504.28, 504.29, 504.31, 504.32, 504.33, 504.34, 504.35, 504.36, F.S.; eliminating the Florida Organic Farming and Food Law; repealing ss. 536.20, 536.21, 536.22, F.S., relating to timber and lumber; repealing s. 570.381, F.S., relating to Apaloosa racing; amending ss. 550.2625, 550.2633, F.S.; conforming cross-references; amending s. 570.07, F.S.; authorizing the department to conduct investigations of violations of laws relating to consumer protection; authorizing the department to repair or construct structures; amending s. 503.071, F.S.; providing for the embargo, detainment, or destruction of food or food processing equipment of a frozen dessert manufacturer; amending s. 570.244, F.S.; clarifying powers and duties of the department relating to the development of agribusinesses; amending s. 570.249, F.S.; clarifying aquacultural crops eligible for Agricultural Economic Development Program disaster loans; revising loan application requirements; directing the department to establish an agribusiness market development grant program; amending s. 570.38, F.S.; increasing membership of the Animal Industry Technical Council; amending s. 580.031, F.S.; revising definitions; amending s. 580.051, F.S.; revising label requirements for feed; amending s. 580.065, F.S.; revising feed laboratory procedures; amending s. 580.091, F.S.; removing intent language regarding feed sampling and analysis; amending s. 580.112, F.S.; expanding prohibited acts; amending s. 581.211, F.S.; providing a penalty for violation of rules relating to plant industry; amending s. 585.002, F.S.; prohibiting regulation of care and treatment of livestock and poultry by other agencies when the department has undertaken to do so; amending s. 585.145, F.S.; prescribing requirements with respect to veterinarians who may inspect animals for disease; amending s. 585.155, F.S.; revising vaccination requirements for calves; amending s. 589.19, F.S.; naming a state forest; amending s. 616.242, F.S.; providing additional exemptions from amusement ride safety standards; amending s. 828.22, F.S.; creating the "Humane Slaughter Act"; revising provisions relating to humane slaughter and livestock euthanasia; amending s. 828.23, F.S.; revising definitions; amending s. 828.24, F.S.; revising provisions relating to prohibited acts; amending s. 828.25, F.S.; revising provisions relating to administration of the act by the department; creating s. 828.251, F.S.; directing the department to make current technical information available to slaughterers; creating s. 828.252, F.S.; providing for humane treatment of nonambulatory animals; amending s. 828.26, F.S.; revising penalties; amending ss. 427.804, 559.921, F.S.; conforming cross-references; repealing s. 570.544(10) and (11), F.S., relating to authority of the Division of Consumer Services of the department to conduct investigations of violations of laws relating to consumer protection; providing effective dates.

By the Committee on Banking and Insurance; and Senator King—

**CS for SB 1926**—A bill to be entitled An act relating to workers' compensation; amending s. 112.3145, F.S.; redefining the term "specified state employee" to include the Deputy Chief Judge of Compensation Claims; amending s. 120.65, F.S.; establishing requirements for the Deputy Chief Judge; amending s. 121.055, F.S.; including the Deputy Chief Judge in the Senior Management Service Class; conforming provisions to the transfer of the judges of compensation claims from the Department of Labor and Employment Security to the Division of Administrative Hearings; amending s. 381.004, F.S.; conforming provisions

to the transfer of the judges of compensation claims to the Division of Administrative Hearings; amending s. 440.02, F.S.; revising a monetary limit in the definition of the term "casual"; excluding certain sports officials from the definition of the term "employee"; excluding work done by state prisoners and county inmates from the definition of employment; amending s. 440.09, F.S.; excluding employees covered under the Defense Base Act from payment of benefits; amending s. 440.105, F.S.; reclassifying the Chief Judge of Compensation Claims as the Deputy Chief Judge of Compensation Claims; amending s. 440.12, F.S.; providing for electronic payment of compensation payments; amending s. 440.13, F.S.; revising requirements for submission of certain medical reports and bills; granting rehabilitation providers access to medical records; revising provider eligibility requirements; amending s. 440.134, F.S.; requiring certain insurers to provide medically necessary remedial treatment, care, and attendance under certain circumstances; amending s. 440.14, F.S.; requiring the employee to provide information concerning concurrent employment; amending s. 440.185, F.S.; authorizing the division to contract with a private entity for collection of certain policy information; providing application; amending s. 440.192, F.S.; revising requirements and procedures for filing petitions for benefits; permitting judges to dismiss portions of a petition; specifying that dismissal of petitions is without prejudice; amending grounds for dismissal; redesignating the notice of denial as the "response to petition"; amending s. 440.20, F.S.; providing for payment of compensation by direct deposit under certain circumstances; providing procedural guidelines for a carrier that is uncertain of its obligations to provide benefits or compensation; waiving hearing requirements under certain circumstances; revising the period for payment; revising lump-sum settlement requirements; amending s. 440.22, F.S.; excluding child support and alimony claims from general exemption of workers' compensation benefits from claims of creditors; amending s. 440.25, F.S.; revising mediation procedures; requiring written consent for continuances; authorizing the director of the Division of Administrative Hearings to employ mediators; requiring judges of compensation claims to file a report in certain circumstances; eliminating local rule adoption; removing the division's participation in indigency proceedings; amending s. 440.271, F.S.; requiring the First District Court of Appeal to establish a specialized division to hear workers' compensation cases; amending s. 440.29, F.S.; conforming provisions to the reclassification of the Chief Judge as the Deputy Chief Judge of Compensation Claims; amending s. 440.34, F.S.; providing for a response to petition; amending s. 440.345, F.S.; revising reporting requirements; amending s. 440.38, F.S.; providing for the type of qualifying security deposit necessary to become a self-insured employer; providing requirements, procedures, and criteria; conforming cross-references; amending s. 440.44, F.S.; revising record requirements; authorizing the director of the Division of Administrative Hearings to make expenditures relating to the Office of the Judges of Compensation Claims; requiring legislative approval before modifying the number or location of the judges or mediators; conforming provisions to the transfer of the Office of the Judges of Compensation Claims to the Division of Administrative Hearings; amending s. 440.442, F.S.; revising Judicial Code of Conduct requirements; amending s. 440.45, F.S.; eliminating the Chief Judge position; creating the position of Deputy Chief Judge of Compensation Claims; conforming provisions to the transfer of the judges of compensation claims from the Department of Labor and Employment Security to the Division of Administrative Hearings within the Department of Management Services; requiring nominees for the judges of compensation claims to meet additional experience requirements; authorizing the director of the Division of Administrative Hearings to initiate and investigate complaints against the Deputy Chief Judge and judges of compensation claims and make recommendations to the Governor; revising reporting requirements; requiring the judicial nominating commission to consider whether judges of compensation claims have met certain requirements; providing procedures; authorizing the Governor to appoint certain judges of compensation claims; amending s. 440.47, F.S.; conforming provisions to the reclassification of the Chief Judge as the Deputy Chief Judge; providing that the director of the Division of Administrative Hearings must approve travel expenses; amending s. 440.59, F.S.; eliminating injury report; revising reporting requirements; transferring reporting responsibilities from the Department of Labor and Employment Security to the Department of Insurance; amending s. 440.593, F.S., providing enforcement authority relating to electronic reporting; amending s. 61.14, F.S.; requiring judges of compensation claims to consider the interests of the worker and the worker's family when approving settlements of workers' compensation claims; requiring appropriate recovery of any child-support arrearage from those settlements; amending s. 61.30, F.S.; providing that gross income includes all workers' compensation benefits and settlements; amending ss. 489.114,



489.510, F.S.; providing an exception to certain workers' compensation coverage evidence requirements; amending ss. 489.115, 489.515, F.S.; revising certification and registration requirements for initial licensure; amending s. 627.311, F.S.; providing for use of policyholder surplus for purposes of funding certain deficits; amending s. 627.0915, F.S.; eliminating references to the Division of Safety of the Department of Labor and Employment Security in relation to rating plans' workplace safety programs; amending s. 627.914, F.S.; revising the requirements for reports of information by workers' compensation insurers; deleting a reporting requirement for the Division of Workers' Compensation; transferring the Office of the Judges of Compensation Claims to the Division of Administrative Hearings; transferring positions from the Division of Workers' Compensation to the Office of Judges of Compensation Claims; providing effective dates.

By the Committee on Criminal Justice; and Senator Laurent—

**CS for SB 1932**—A bill to be entitled An act relating to controlled substances; authorizing the creation of a pilot program in Orange County to intercept illegal drug shipments through package delivery services; amending ss. 823.10, 823.01, F.S.; providing that a person who willfully maintains a place where controlled substances are unlawfully kept, sold, or delivered commits the offense of keeping or maintaining a public nuisance; providing a penalty; amending s. 877.111, F.S., relating to inhalation, ingestion, sale, purchase, or transfer of certain harmful chemical substances; providing exceptions to applications of offenses relating to unlawful distribution, sale, purchase, transfer, or possession of nitrous oxide; amending s. 893.03, F.S., relating to controlled substance standards and schedules; adding 4-methoxymethamphetamine, 1, 4-Butanediol, Gamma-butyrolactone (GBL), Gamma-hydroxybutyric acid (GBH), methaqualone, and mecloqualone to Schedule I; deleting 1, 4-Butanediol and Gamma-hydroxybutyric acid from Schedule II; adding drug products containing Gamma-hydroxybutyric acid which are approved under the Federal Food, Drug, and Cosmetic Act to Schedule III; amending s. 893.033, F.S., relating to listed chemicals; adding chloroephedrine and chloropseudoephedrine to the list of precursor chemicals; amending s. 893.135, F.S., relating to drug trafficking; creating offenses for trafficking in Gamma-butyrolactone (GBL) and lysergic acid diethylamide (LSD); providing penalties; amending scheduling references for trafficking in Gamma-hydroxybutyric acid (GHB) and 1, 4-Butanediol; providing effective dates.

By the Committee on Commerce and Economic Opportunities; and Senator Latvala—

**CS for SB 2034**—A bill to be entitled An act relating to rural electric cooperatives; amending s. 425.09, F.S.; authorizing cooperative bylaws to permit voting by limited proxy for certain purposes and under certain circumstances; providing criteria and limitations; prohibiting voting by general proxy; providing procedures and requirements for appointing limited proxies; providing an effective date.

By the Committee on Criminal Justice; and Senator Bronson—

**CS for SB 2036**—A bill to be entitled An act relating to the Criminal Justice Standards and Training Commission; amending s. 943.12, F.S.; revising the powers and duties of the commission relating to certification of training schools and instructors; amending s. 943.13, F.S.; allowing employee physicals to be performed by physician assistants; amending s. 943.131, F.S.; providing alternative requirements for certain applicants who seek exemptions from the basic-recruit training program; amending s. 943.135, F.S.; eliminating a requirement that the department provide remediation programs for officers who cannot comply with continuing education requirements because of learning disabilities; amending s. 943.1395, F.S.; limiting the circumstances under which officers may be registered and hold concurrent certification; amending s. 943.14, F.S.; deleting a requirement for commission approval of certain courses; providing for staff to approve certain diplomas or certificates; eliminating an exemption from section requirements for certain training schools and programs; amending s. 943.17, F.S.; requiring the commission to establish a specialized training program; amending s. 943.173, F.S.; conforming provisions amending s. 943.175, F.S.; eliminating provisions governing specialized training programs; amending s.

943.22, F.S.; redefining the term "accredited college"; amending s. 943.25, F.S.; prohibiting the assessment of certain costs against officers or agencies for courses offered by criminal justice training schools; amending s. 316.640, F.S.; specifying the training requirement for certain persons employed as traffic accident or crash investigation officers or traffic infraction enforcement officers; providing an effective date.

By the Committee on Education; and Senators Sebesta and Webster—

**CS for SB 2054**—A bill to be entitled An act relating to the designation of university buildings and facilities; designating the new instruction and research building at Florida Atlantic University's College of Nursing the "Louis and Anne Green Alzheimer's Research Center"; designating the Florida Atlantic University Dania Beach Campus facility the "Kenneth C. Jenne Building"; designating the observatory at Florida Gulf Coast University the "Evelyn L. Egan Astronomical Observatory"; designating the student and educational center at Florida Gulf Coast University the "Sugden Welcome Center"; designating the building at the Women's Soccer and Softball Complex at Florida State University the "Mary Ann Stiles and Barry Smith Team Building"; designating Building 146 at Florida State University, known as the Molecular Biophysics Building, the "Kasha Laboratory"; designating the University of Central Florida's School of Hospitality Management the "Rosen School of Hospitality Management" and the facility that houses said school "Rosen Hall"; designating the new educational program facility at the Florida Museum of Natural History at the University of Florida the "William W. and Nadine M. McGuire Hall"; designating the new alumni center at the University of Florida the "Emerson Alumni Hall"; designating the new accounting building at the University of Florida's Warrington School of Business the "Gary R. Gerson Hall"; designating the women's gymnasium at the University of Florida the "Kathryn Chicone Ustler Hall"; designating the marine science complex at the University of South Florida's St. Petersburg Campus as the "C.W. 'Bill' Young Marine Science Complex"; designating the science research building at Florida Agricultural and Mechanical University as the "Frederick S. Humphries Science and Research Center"; authorizing the erection of suitable markers; providing an effective date.

By the Committee on Natural Resources; and Senator Brown-Waite—

**CS for SB 2074**—A bill to be entitled An act relating to environmental control; amending s. 403.813, F.S.; providing an exemption from permitting requirements for the removal of organic detrital material from certain freshwater rivers or lakes; providing exemption from permits for certain floating vessel platforms; requiring the Department of Environmental Protection to adopt a general permit by rule for floating vessel platforms after January 1, 2002, which meet certain conditions; providing an effective date.

By the Committee on Banking and Insurance; and Senator Carlton—

**CS for SB 2080**—A bill to be entitled An act relating to insurance; amending s. 215.555, F.S.; revising definitions; amending s. 624.307, F.S.; authorizing the Department of Insurance to adopt rules with respect to required filings; amending s. 624.315, F.S.; revising specified contents of certain reports; amending s. 624.408, F.S.; deleting obsolete provisions; amending ss. 624.423, 626.742, 626.8736, 626.907, 634.161, F.S.; providing for alternative methods of service of process; amending s. 624.424, F.S.; exempting certain insurers from certain annual statement requirements; providing exceptions; transferring and renumbering s. 624.4435, F.S., as s. 624.4242, F.S.; amending s. 625.340, F.S.; requiring certain foreign insurers to comply with certain provisions; amending s. 626.8805, F.S.; exempting certain administrators from certificate-of-authority requirements; amending s. 627.7295, F.S.; providing an additional exception to a requirement that a minimum of 2 months' premium be collected to issue a policy or binder for motor vehicle insurance; amending s. 627.901, F.S.; authorizing insurance agents and insurers that finance premiums for certain policies to charge interest or a service charge at a specified rate on unpaid premiums on those policies; amending s. 627.914, F.S.; clarifying application of time-of-payment requirements to self-insurance funds; deleting provisions relating to certain required information relating to workers' compensation

insurance; amending s. 627.915, F.S.; revising certain reporting requirements concerning private passenger automobile insurance information; amending s. 641.19, F.S.; defining the term "health care risk contract"; amending s. 641.26, F.S.; revising health maintenance organization annual reporting requirements; creating s. 641.263, F.S.; providing for risk-based capital for health maintenance organizations; providing for risk-based capital reports; providing requirements for health maintenance organizations upon the occurrence of certain events; providing notice requirements; requiring a risk-based capital plan for such events; providing duties and responsibilities of the department; providing for department hearings of challenges by health maintenance organizations; providing for notice requirements; authorizing the department to adopt rules; authorizing the department to exempt certain health maintenance organizations; providing for effect of certain notices; providing for alternative requirements for certain time periods; providing legislative intent for the use of risk-based capital reports and other related documents; creating s. 641.265, F.S.; amending s. 641.35, F.S.; including under liabilities the amounts of certain claims in determinations of financial health of health maintenance organizations; amending ss. 641.2018, 641.495, 817.234, 817.50, F.S.; conforming cross-references; repealing s. 641.2342, F.S., relating to contract providers; providing effective dates.

By the Committee on Ethics and Elections; and Senators Jones, Klein, Campbell, Mitchell, Dyer, Wasserman Schultz, Miller, Rossin, Dawson and Lawson—

**CS for SB 2098**—A bill to be entitled An act relating to elections; amending s. 101.031, F.S.; providing for a Voter's Bill of Rights and Responsibilities; providing responsibilities of supervisors of elections; providing an effective date.

By the Committee on Health, Aging and Long-Term Care; and Senators Silver and Sanderson—

**CS for SB 2110**—A bill to be entitled An act relating to Medicaid; amending s. 409.906, F.S.; providing that the agency may restrict or prohibit the provision of services by mobile providers; providing that Medicaid will not provide reimbursement for dental services provided in mobile dental units, except for certain units; providing an effective date.

By the Committee on Health, Aging and Long-Term Care; and Senator Mitchell—

**CS for SB 2146**—A bill to be entitled An act relating to medical records; providing legislative findings and intent; amending s. 456.057, 395.3025, 400.1415, F.S.; prohibiting the use of a patient's medical records for purposes of solicitation and marketing without specific written release or authorization; providing an effective date.

By the Committee on Health, Aging and Long-Term Care; and Senator Klein—

**CS for SB 2156**—A bill to be entitled An act relating to health care; amending s. 456.031, F.S.; allowing licensees under ch. 466, F.S., to complete a course designated by the Board of Dentistry, rather than a course in end-of-life care and palliative care, as an alternative to completing a domestic-abuse course; amending s. 456.033, F.S.; allowing licensees under ch. 466, F.S., to complete a course designated by the Board of Dentistry, rather than a course in end-of-life care and palliative care, as an alternative to completing certain instruction on human immunodeficiency virus and acquired immune deficiency syndrome; amending s. 765.101, F.S.; redefining the term "end-stage condition"; amending s. 765.102, F.S.; prescribing the content and suitability of palliative care; amending s. 765.205, F.S.; prescribing the standards of decision-making which are to be used in certain circumstances by health surrogates, by persons who have durable powers of attorney for health care, and by proxy decisionmakers; amending s. 765.401, F.S.; prescribing the standards of decisionmaking which are to be used in certain circumstances by proxies; providing an effective date.

By the Committee on Banking and Insurance; and Senator Clary—

**CS for SB 2224**—A bill to be entitled An act relating to workers' compensation; transferring the Division of Workers' Compensation from the Department of Labor and Employment Security to the Department of Insurance; providing exceptions; transferring various functions, powers, duties, personnel, and assets relating to workers' compensation to the Department of Education, the Agency for Health Care Administration, and the Department of Insurance; amending s. 20.13, F.S.; creating the Division of Workers' Compensation in the Department of Insurance; amending s. 20.171, F.S.; removing the Division of Workers' Compensation from the Department of Labor and Employment Security; amending s. 440.015, F.S.; designating state agencies to administer the workers' compensation law; amending s. 440.02, F.S.; providing definitions; amending ss. 440.021, 440.05, 440.09, 440.10, 440.102, 440.103, 440.105, 440.106, 440.107, 440.108, 440.125, 440.13, 440.134, 440.14, 440.15, 440.17, 440.185, 440.191, 440.192, 440.1925, 440.20, 440.207, 440.211, 440.24, 440.25, 440.271, 440.345, 440.35, 440.38, 440.381, 440.385, 440.40, 440.41, 440.42, 440.44, 440.49, 440.491, 440.50, 440.51, 440.52, 440.525, 440.572, 440.59, 440.591, 440.593, 468.529, 626.88, 626.989, 627.0915, 627.914, F.S., to conform to the transfers made by this act; providing for the continuation of contracts and agreements; providing for substitution of a successor agency as a party in judicial and administrative proceedings; providing severability; amending s. 624.3161, F.S.; providing for market conduct examinations with respect to workers' compensation; providing legislative intent; providing effective dates.

By the Committee on Banking and Insurance; and Senator Garcia—

**CS for SB 2234**—A bill to be entitled An act relating to insurance; amending s. 627.351, F.S.; renaming the Residential Property and Casualty Joint Underwriting Association as the Citizens Property Insurance Corporation to provide residential and commercial property insurance; requiring insurers writing property insurance to be assessed by the corporation; providing for dividing the revenues, assets, liabilities, losses, and expenses of the corporation into three accounts; providing for emergency assessments for policyholders of assessable insurers; providing a plan of operation; providing for a board of governors; providing that the corporation is not required to obtain a certificate of authority from the Department of Insurance; providing that the corporation is not required to be a member of the Florida Insurance Guaranty Association; requiring the corporation to pay assessments pledged by the association to secure bonds to pay covered claims arising from insurer insolvencies caused by hurricane losses; providing for transfer of policies of the association and the Florida Windstorm Underwriting Association to the corporation; providing for a transfer of assets and liabilities; requiring the associations to take actions necessary to further such transfers; providing that such transfers do not affect the coverage of "covered policies"; providing for the redesignation of certain coverage as the high-risk account of the corporation; providing that such account be treated as if it were a separate insurer for certain purposes; providing that the personal lines and commercial lines accounts be treated as a single insurer for certain purposes; providing that the department may postpone the October 1, 2001, effective date of transfer under the act; providing legislative intent not to interfere with the rights of creditors, to preserve the obligations of the association, and to assure that outstanding financing agreements pass unchanged to the corporation; amending s. 631.55, F.S.; creating a medical malpractice account within the Florida Insurance Guaranty Association; amending s. 627.351, F.S.; eliminating the provisions making a risk no longer eligible for coverage in the Florida Windstorm Underwriting Association if an offer of coverage is made by an authorized insurer; providing an effective date.

## MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

### EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Architecture and Interior Design		Appointees: Howland, George A. III,	
Appointees: Del Bianco, Sharon M., Ft. Myers	10/31/2003	New Port Richey	03/01/2004
Hall, Daniel-Christopher,		Whitehead, Judith C., Brooksville	03/01/2003
Miami Shores	10/31/2003	Hillsborough River Basin Board of the Southwest Florida	
Florida Black Business Investment Board		Water Management District	
Appointee: Weaver, Ronnie H., Tallahassee	09/30/2004	Appointees: Johnson, Fred O., Plant City	03/01/2003
Florida Citrus Commission		Mai, Hung T., Lutz	03/01/2004
Appointees: Kemper, William E., Alva	05/31/2004	Manasota Basin Board of the Southwest Florida Water	
Raley, W. Lindsay, Jr.,		Management District	
Winter Haven	05/31/2004	Appointees: Almy, Marion M., Sarasota	03/01/2004
Richey, Daniel R., Vero Beach	05/31/2004	Benac, Elizabeth O., Sarasota	03/01/2004
Escambia County Civil Service Board		Rathke, Edwin T., Bradenton	03/01/2004
Appointees: Gilliam, Thomas J., Jr.,		Northwest Hillsborough County Basin Board of the	
Cantonment	02/09/2005	Southwest Florida Water Management District	
Phillips, Sandra M., Pensacola	02/13/2005	Appointees: Adams, Frank Lester III, Tampa	03/01/2004
Rittenhouse, Diana A., Pensacola	02/13/2005	Francois, Sharlene, Lutz	03/01/2004
Board of Clinical Social Work, Marriage and Family		Jordon-Robinson, Joseph	
Therapy, and Mental Health Counseling		William, Jr., Tampa	03/01/2003
Appointee: Gray, Susan W., N. Miami Beach	10/31/2004	Peace River Basin Board of the Southwest Florida Water	
State of Florida Correctional Medical Authority		Management District	
Appointee: Griffin, E. Rawson III,		Appointees: Dunlap, Ann W., Bartow	03/01/2004
Green Cove Springs	07/01/2003	Harrison, Ken, Arcadia	03/01/2004
Education Standards Commission		Withlacoochee River Basin Board of the Southwest	
Appointees: Lynch, Thomas E., Village of Golf	09/30/2001	Florida Water Management District	
Florida Commission on Human Relations		Appointees: Alexander, JoAnn R., Spring Hill	03/01/2004
Appointees: Stall, Billy Whitefox, Panama City	09/30/2004	Lyons, Samuel H., Crystal River	03/01/2004
State Board of Independent Colleges and Universities		<b>[Referred to the Committee on Ethics and Elections.]</b>	
Appointees: Matos, Ilia Y., St. Cloud	09/30/2002	<b>MESSAGES FROM THE HOUSE OF REPRESENTATIVES</b>	
Southeast Interstate Low-Level Radioactive Waste		<b>FIRST READING</b>	
Management Commission		The Honorable John M. McKay, President	
Appointees: Hodes, Richard S., Tampa	06/30/2001	I am directed to inform the Senate that the House of Representatives	
Hunter, Richard G., Tallahassee	06/30/2002	has passed HB 29, HB 499, HB 1711, HB 1715, HB 1719, HB 1727, HB	
Gulf States Marine Fisheries Commission		1729, HB 1739, HB 1741; has passed as amended CS for HB 41, HB 47,	
Appointee: Ward, William M., St. Petersburg	01/05/2004	CS for CS for HB 107; has passed as amended by the required Constitu-	
Board of Directors, Prison Rehabilitative Industries and		tional two-thirds vote of the membership HB 1753 and requests the	
Diversified Enterprises, Inc.		concurrence of the Senate.	
Appointees: Hamilton, Lawrence W., Largo	09/30/2002	<i>John B. Phelps, Clerk</i>	
North Central Florida Regional Planning Council,			
Region 3			
Appointee: Maulsby, Charles T., Perry	10/01/2003		
East Central Florida Regional Planning Council,			
Region 6			
Appointees: Acevedo, Nancy C., Winter Springs	10/03/2003		
DiLavore, Peter V., Melbourne	10/01/2003		
Greene, Ronald C., Orlando	10/01/2003		
Board of Professional Surveyors and Mappers			
Appointee: Armenteros, Omar, Coral Gables	10/31/2002		
Governing Board of the Northwest Florida Water			
Management District			
Appointees: Stuparich, Nancy, Pensacola	03/01/2005		
Governing Board of the South Florida Water			
Management District			
Appointees: English, Hugh M., LaBelle	03/01/2005		
Alafia River Basin Board of the Southwest Florida Water			
Management District			
Appointees: Hinton, Carol M., Plant City	03/01/2004		
Kixmiller Shamblin, Brenda Lee,			
Plant City	03/01/2003		
Minthorn, Robert Edward,			
Gibsonton	03/01/2004		
Coastal Rivers Basin Board of the Southwest Florida			
Water Management District			

By Representative Brummer and others—

**HB 29**—A bill to be entitled An act relating to driving under the influence; amending s. 322.2616, F.S.; providing for the requirement that certain license suspensions shall remain in effect for a described time period; providing for the assumption of the costs for substance abuse education; providing a definition; providing for the admission of certain minors into county additions receiving facilities under certain circumstances; clarifying the blood-alcohol and breath-alcohol level that is unlawful; providing for a temporary driving permit to become effective after a specified period has elapsed following the issuance of the permit; authorizing the use of a blood test obtained pursuant to certain other investigations to be used for the purposes of s. 322.2616, F.S.; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; Appropriations Subcommittee on General Government; and Appropriations.

By Representative Andrews—

**HB 499**—A bill to be entitled An act relating to holidays; creating s. 683.25, F.S.; designating December 15 as "Bill of Rights Day"; providing

for a proclamation by the Governor to that effect; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; and Rules and Calendar.

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By the Fiscal Responsibility Council; and Representative Dockery—

**HB 1711**—A bill to be entitled An act relating to construction management for nonstate entities; repealing s. 255.31(3), F.S.; eliminating the authority of the Department of Management Services to enter into contracts with nonstate entities for construction management services; repealing s. 235.017(2)(e), F.S., to conform; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Appropriations Subcommittee on General Government; and Appropriations.

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By the Fiscal Responsibility Council; and Representative Dockery—

**HB 1715**—A bill to be entitled An act relating to the recreational user permit fee; amending s. 372.57, F.S.; revising provisions relating to the recreational user permit fee to hunt, fish, or otherwise use certain land leased from private owners; removing a provision that provides for reduction of the permit fee based on the prior year's landowner payment for certain property in the private landowner payment program; providing an effective date.

—was referred to the Committees on Natural Resources; Transportation; Appropriations Subcommittee on General Government; and Appropriations.

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By the Fiscal Responsibility Council; and Representative Dockery—

**HB 1719**—A bill to be entitled An act relating to the Department of Management Services; amending s. 287.16, F.S.; revising language with respect to the powers and duties of the department; authorizing the department to contract for the maintenance of motor vehicles; deleting reference to special purpose aircraft with respect to an annual report to the Legislature; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Appropriations Subcommittee on General Government; and Appropriations.

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By the Fiscal Responsibility Council; and Representative Maygarden—

**HB 1727**—A bill to be entitled An act relating to community care for the elderly; amending s. 430.203, F.S.; redefining the term "lead agency"; removing the requirement of mandatory case management; providing an effective date.

—was referred to the Committees on Children and Families; Governmental Oversight and Productivity; Appropriations Subcommittee on Health and Human Services; and Appropriations.

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By the Fiscal Responsibility Council; and Representative Ball—

**HB 1729**—A bill to be entitled An act relating to the Department of Corrections; transferring the Office for Certification and Monitoring of Batterers' Intervention Programs from the Department of Corrections to the Department of Children and Family Services; amending ss. 741.32 and 741.325, F.S.; revising references to conform to the transfer of the office; amending s. 921.0024, F.S.; removing the Department of Corrections' responsibility for preparing sentencing scoresheets; renumbering and amending s. 945.76, F.S.; transferring authority for certain fee as-

essment and collection from the Department of Corrections to the Department of Children and Family Services; providing an effective date.

—was referred to the Committees on Criminal Justice; Children and Families; Appropriations Subcommittee on Health and Human Services; and Appropriations.

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By the Fiscal Responsibility Council; and Representative Johnson—

**HB 1739**—A bill to be entitled An act relating to the central voter file; amending s. 98.0975, F.S.; modifying requirements of the Division of Elections with respect to the information on persons included in the central voter file to be reported to the county supervisors of elections; eliminating the requirement for the division to annually contract with a private entity to provide list maintenance duties on the central voter file; providing an effective date.

—was referred to the Committees on Ethics and Elections; Appropriations Subcommittee on General Government; and Appropriations.

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By the Fiscal Responsibility Council; and Representative Maygarden—

**HB 1741**—A bill to be entitled An act relating to the Department of Children and Family Services; amending s. 39.3065, F.S.; adding Seminole County to list of counties whose sheriffs provide protective investigative services; amending s. 393.063, F.S.; modifying the definition of "support coordinator" in provisions relating to developmental disabilities; amending s. 393.0651, F.S.; removing requirement for support coordinator review of individual or family support plans; amending s. 414.045, F.S.; adding another category of families eligible for cash assistance, for federal reporting purposes; amending ss. 938.01 and 943.25, F.S.; providing for deposit of certain funds for use by the Department of Law Enforcement, rather than the Department of Community Affairs; providing for transfer of certain funds to the Department of Children and Family Services for the prevention of domestic and sexual violence; repealing s. 402.185, F.S., relating to certification forward of certain unused funds of the Department of Children and Family Services; providing an effective date.

—was referred to the Committees on Children and Families; Appropriations Subcommittee on Health and Human Services; and Appropriations.

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By the Committee on Local Government and Veterans Affairs; and Representative Argenziano—

**CS for HB 41**—A bill to be entitled An act relating to water and wastewater systems; repealing s. 13 of ch. 2000-350, Laws of Florida, which requires county rate proceedings to follow certain provisions of the Administrative Procedure Act; amending s. 350.0611, F.S.; requiring the Public Counsel to provide legal representation in proceedings before counties under certain circumstances; recovery of rate case expenses; providing an effective date.

—was referred to the Committees on Regulated Industries; Comprehensive Planning, Local and Military Affairs; and Rules and Calendar.

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By Representative Bense and others—

**HB 47**—A bill to be entitled An act relating to community service; creating the Florida Volunteer and Community Service Act of 2001; providing legislative intent; authorizing the Executive Office of the Governor to establish policies and procedures which provide for the expenditure of funds to develop and facilitate initiatives that encourage and reward volunteerism; providing purposes of the act; amending s. 14.29, F.S.; expanding the purposes of a required report of the Florida Commission on Community Service; authorizing the commission to provide specified assistance for the establishment and implementation of programs

pursuant to the Florida Volunteer and Community Service Act of 2001; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Comprehensive Planning, Local and Military Affairs; Appropriations Subcommittee on General Government; and Appropriations.

By the Council for Competitive Commerce; the Committee on Banking; and Representative Prieguez and others—

**CS for CS for HB 107**—A bill to be entitled An act relating to unclaimed property; revising provisions of ch. 717, F.S., to refer to property considered abandoned as unclaimed property; amending s. 717.101, F.S.; revising certain definitions; amending ss. 717.102, 717.103, 717.1035, 717.104, 717.105, 717.107, 717.108, 717.109, 717.1101, 717.111, 717.113, 717.115, 717.116, 717.1201, 717.122, 717.125, and 717.129, F.S.; changing references to property from being abandoned to being unclaimed; amending s. 717.106, F.S., to conform; providing an additional criterion for certain property in financial organizations being presumed unclaimed; amending s. 717.112, F.S., to conform; providing a presumption that certain intangible property is unclaimed under certain circumstances; amending s. 717.117, F.S., to conform; deleting a report verification requirement; revising unclaimed property report requirements; revising search and notification requirements for inactive accounts; amending s. 717.118, F.S., to conform; revising certain notification procedures; amending s. 717.119, F.S., to conform; authorizing payment of unclaimed funds by electronic transfer; deleting an authorization to deduct reasonable fees from certain sale proceeds; providing valuation and remission of contents of safe-deposit boxes; amending s. 717.122, F.S., to conform; authorizing the department to dispose of certain property under certain circumstances; amending s. 717.123, F.S.; revising the disposition of funds held by the Department of Banking and Finance relating to unclaimed property; amending s. 717.124, F.S.; revising certain procedures for filing claims by owner's representatives and receiving and making payments to an owner or owner's representative; amending s. 717.1241; revising resolution of conflicting ownership claims between certain persons; amending s. 717.1243, F.S.; revising provisions for disposition of claims from small estate accounts; creating s. 717.1315, F.S.; providing for retention of certain records by an owner's representative; providing requirements; amending s. 717.132, F.S.; providing for deposit of administrative fines into the Unclaimed Property Trust Fund; amending s. 717.135, F.S.; revising provisions relating to unenforceability of certain agreements to locate reported property; requiring disclosure of certain information; limiting certain recovery fees; specifying agreement requirements; amending s. 717.138, F.S.; authorizing the Department of Banking and Finance to adopt rules for certain electronic filings; amending s. 732.107, F.S.; revising provisions relating to escheat of certain property to the state; revising provisions relating to entitlement to, procedures for payment or assignment of, or distributions of certain proceeds; amending s. 215.965, F.S., to conform; amending s. 493.6101, F.S., to conform; amending s. 493.6102, F.S.; specifying nonapplication to certain persons; repealing s. 717.137, F.S., relating to effect and application of certain provisions; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By the Fiscal Responsibility Council; and Representative Maygarden—

**HB 1753**—A bill to be entitled An act relating to the Agency for Health Care Administration; amending s. 409.8132, F.S.; deleting the requirement to provide choice counseling to eligible applicants under the Medikids program component; amending s. 409.815, F.S.; correcting a cross reference; amending s. 409.904, F.S.; revising Medicaid eligibility requirements for certain elderly or disabled persons; authorizing payment for health insurance premiums of Medicaid-eligible individuals under certain circumstances; amending s. 409.905, F.S.; updating and revising provisions relating to hospital inpatient behavioral health services provided pursuant to a federally approved waiver; expanding provision of such services statewide; amending s. 409.906, F.S.; deleting adult denture services as optional Medicaid services and restricting authorized hearing and visual services to children; providing additional requirements for authorized intermediate care services; adding assistive

care services as an optional Medicaid service for certain recipients; amending s. 409.9065, F.S.; correcting a cross reference; amending s. 409.908, F.S.; providing for reimbursement of hospital inpatient and outpatient services at certain rates; permitting reimbursement for certain Medicaid services based on competitive bidding; deleting redundant provisions; prohibiting increases in reimbursement rates to nursing homes associated with changes in ownership; precluding premium adjustments to managed care organizations under certain circumstances; revising provisions relating to physician reimbursement and the reimbursement fee schedule; deleting certain preferential Medicaid payments for dually eligible recipients; authorizing competitive procurement of transportation services or the securing through waivers of federal financing of transportation services at certain rates; correcting a cross reference; authorizing public schools affiliated with Florida universities to separately enroll in the Medicaid certified school match program and certify local expenditures; amending s. 409.911, F.S.; updating data requirements and share rates for disproportionate share distributions; amending s. 409.91195, F.S.; revising provisions relating to the membership of the Medicaid Pharmaceutical and Therapeutics Committee; providing for development and distribution of a restricted drug formulary for Medicaid providers; amending s. 409.9116, F.S.; modifying the formula for disproportionate share/financial assistance distributions to rural hospitals; amending s. 409.912, F.S.; authorizing continued reimbursement of substance abuse treatment services on a fee-for-service basis under certain conditions; expanding Medicaid managed care behavioral health services statewide; deleting requirement for choice counseling; deleting authorization to test new marketing initiatives relating to managed care options; deleting a restriction on adjustment of capitation rates; permitting competitive bidding for certain services; modifying reimbursement to pharmacies; permitting use of a restricted drug formulary, authorizing exemptions therefrom, and authorizing negotiation of supplemental rebates from manufacturers pursuant thereto; requiring prescriptions for Medicaid recipients to be on certain standardized forms; amending s. 409.915, F.S.; increasing county contributions to Medicaid for inpatient hospitalization; exempting counties from contributing toward the cost of inpatient services provided by certain hospitals and for special Medicaid payments under certain conditions; repealing s. 636.0145, F.S., relating to requirement for licensure of certain entities contracting with Medicaid to provide mental health care services in certain counties pursuant to federal waiver, to conform to changes made in this act; providing a finding of important state interest; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; Appropriations Subcommittee on Health and Human Services; and Appropriations.

## CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 4 was corrected and approved.

## CO-SPONSORS

Senators Campbell—SJR 1700, SB 1878; Carlton—CS for SB 986; Cowin—SB 412, CS for SB 1214, SB 1610; Crist—SB 492, CS for SB 1092, SB 1196, CS for SB 1272, CS for SB 1692, CS for SB 1778, SB 1864; Dyer—SB 2172; Garcia—SB 1022; Geller—SB 1878; Klein—SB 2172, SB 2220; Latvala—SB 1878; Lawson—SB 2; Meek—SJR 1700; Miller—SB 1306, SR 1396, SB 2216; Mitchell—SB 2216; Peadar—SB 228; Posey—SB 622, SB 1916; Sanderson—SB 228; Silver—SJR 1700; Smith—SJR 1700; Sullivan—SB 1330; Villalobos—SJR 1700; Wasserman Schultz—SJR 1700, SB 2172

## RECESS

On motion by Senator Lee, the Senate recessed at 1:38 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., in lieu of 9:45 a.m., Thursday, April 12.

## SENATE PAGES

April 9-13

Ashley Baggett, Destin; Henry Bean II, Coconut Creek; Dakarai "D.C." Calhoun, Tallahassee; Frank Coleman III, Alexandria, VA; Desiree DeLoach, Edgewater; Jennifer "Jenni" Edmiston, Apalachicola;

Amanda Fasoli, Bradenton; Ryan Holley, Pensacola; Chloe Jacobs, Weston; Jamie Lawley, Cantonment; Carolyn Martin, Bradenton; Amanda May, Tallahassee; George McNerney, DeLand; Max Mersinger, Miramar; Aaron Mitz, Boca Raton; Matt Parrish, Tierra Verde; Erin Rowland, Alachua; Aaron Royer, Sarasota; Jason Wetherington, Ft. Lauderdale; Hunter Williams, Coral Springs